SINAI AGREEMENT

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

FIRST SESSION

ON

S.J. RES. 100

A JOINT RESOLUTION TO AUTHORIZE THE PARTICIPATION OF THE UNITED STATES IN A MULTINATIONAL FORCE AND OBSERVERS TO IMPLEMENT THE TREATY OF PEACE BETWEEN EGYPT AND ISRAEL

JULY 20, 1981

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SINAI AGREEMENT

MONDAY, JULY 20, 1981

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 2:40 p.m., in room 4221, Dirksen Senate Office Building, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Helms, Lugar, Mathias, Kassebaum, Boschwitz, and Biden.

The CHAIRMAN. The fact that this hearing has been very much delayed is not an indication of its lack of importance, but simply that we have overlapping functions such as floor votes and management of the Tuna Agreement with Canada, which is a matter of some urgency because of the Ottawa Conference.

So we regretfully have been delayed in beginning this hearing, an important hearing. Israel and Egypt have just initialed an agreement which prepares the way for the final Israeli withdrawal from the Sinai by April 1982. The agreement establishes a framework for creating a multinational peacekeeping force.

The U.S. Government, though not a signatory, is committing American military and civilian personnel, funds, and diplomatic efforts for the foreseeable future. This American commitment will be formalized in an exchange of letters with Egypt and Israel.

At this point I would like to insert a copy of S.J. Res. 100.

[Text of S.J. Res. 100 follows:]

97TH CONGRESS
1ST SESSION

S. J. RES. 100

To authorize the participation of the United States in a multinational force and observers to implement the treaty of peace between Egypt and Israel.

IN THE SENATE OF THE UNITED STATES

JULY 22 (legislative day, JULY 8), 1981

Mr. PERCY (by request) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

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JOINT RESOLUTION

To authorize the participation of the United States in a multinational force and observers to implement the treaty of peace between Egypt and Israel.

Whereas the treaty of peace between Egypt and Israel signed on March 26, 1979, calls for the supervision of security arrangements to be undertaken by United Nations forces and observers; and

Whereas the United Nations has been unable to assume those responsibilities; and

Whereas a protocol initialed on July 17, 1981, by the Government of the Arab Republic of Egypt and the Government of the State of Israel provides for the creation of an alternative

multinational force and observers to implement the treaty of peace; and

Whereas the Government of the Arab Republic of Egypt and the Government of the State of Israel have requested that the United States participate in the multinational force and observers: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to assign, under such terms and conditions as he may determine, personnel of the Armed Forces of the United States to participate in the multinational force and observers to be established in accordance with the protocol between Egypt and Israel initialed July 17, 1981, relating to the implementation of the security arrangements of the treaty of peace. The President is also authorized to provide, under such terms and conditions as he may determine, United States civilian personnel to participate as observers in the multinational force and observers. The status of United States Government personnel assigned to the multinational force and observers shall be as provided in section 629 of the Foreign Assistance Act of 1961, as amended.

SEC. 2. The President is authorized to agree with Egypt and Israel that the United States will contribute a share of the costs of such multinational force and observers in accordance with the protocol, subject to the authorization and appropriation of necessary funds.

SEC. 3. There are authorized to be appropriated to the President to carry out chapter 6 of part II of the Foreign Assistance Act of 1961, in addition to amounts otherwise available to carry out that chapter, $125,000,000 for the fiscal year 1982 for contributions as authorized by section 2 of this resolution. Amounts appropriated under this section are authorized to remain available until expended.

SEC. 4. Any agency of the United States Government is authorized to sell, loan, or lease property (including interests therein) to, and to perform administrative and technical services for the support of, the multinational force and observers upon such terms and conditions as the President may direct. Reimbursements to agencies under this section shall be credited to the current applicable appropriation of the agency concerned.

The CHAIRMAN. This afternoon we will hear testimony on this agreement from the following witnesses: Ambassador Nicholas A. Veliotes, Assistant Secretary of State for Near East and South Asian Affairs; Ambassador Michael Sterner, the American negotiator; and Brig. Gen. Andrew L. Cooley, Deputy Director for Political Military Affairs of the Office of the Joint Chiefs of Staff.

Gentlemen, we welcome you very much indeed. We will begin our testimony with Assistant Secretary Veliotes.

Mr. Veliotes, I understand you wish to read your entire statement. Please proceed to do so if you wish.

STATEMENT OF HON. NICHOLAS A. VELIOTES, ASSISTANT SECRETARY OF STATE FOR NEAR EASTERN AND SOUTH ASIAN AFFAIRS, ACCOMPANIED BY BRIG. GEN. ANDREW L. COOLEY, DEPUTY DIRECTOR, POLITICAL MILITARY AFFAIRS, OFFICE OF JOINT CHIEFS OF STAFF; HON. MICHAEL STERNER, AMERICAN NEGOTIATOR; JAMES MICHEL, ACTING LEGAL ADVISER, DEPARTMENT OF STATE

Ambassador VELIOTES. Thank you, Mr. Chairman.

Prior to reading my statement, I would like to introduce James Michel, our acting legal adviser, who is at the table with us.

Mr. Chairman, I particularly welcome the opportunity to be here today. As you know, my purpose is to begin the process of seeking congressional authorization for U.S. participation in, and financial support for, the Multinational Force and Observers [MFO], which is being established in connection with the withdrawal of Israeli forces to the international border with Egypt, in keeping with the treaty of peace between them.

Last Friday in London, representatives of Egypt and Israel, together with Ambassador Sterner, representing our Government, initialed the Protocol and related documents which constitute the international agreement which establishes the MFO and determines its functions.

The text of the Protocol and all related documents have been furnished to this committee. Let me say that we have benefited greatly from your wise counsel during these months of negotiation. It is important to U.S. interests in the Middle East that the MFO be established in as smooth a manner as possible and that it be enabled to carry out its functions as efficiently and effectively as possible.

The establishment of this force represents the final step in the implementation of the Egyptian-Israeli Treaty which, in turn, is the first step toward comprehensive peace in the Middle East. It is fair to say, therefore, that the documents we are discussing today represent a major step in our search for a just and lasting peace in that troubled region.

In this connection, I wish to reaffirm here today that the United States remains fully committed to moving forward to carry out the second major undertaking of the Camp David process—the attainment of an autonomy agreement which will meet both the just requirements of the Palestinian people and the legitimate security concerns of Israel.

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It is important to note at the outset that the treaty of peace between Egypt and Israel calls for the presence of a peacekeeping force and observers to monitor the parties' compliance with the terms of the treaty and to perform specified functions designed to enhance the mutual confidence of the parties.

The treaty provides that this mission should be carried out by the United Nations. In response to a formal request from the permanent representative of Egypt, however, the President of the Security Council, on May 18, reported that the members of the Council were unable to reach the agreement necessary for the United Nations to provide a force and observers as envisioned in the treaty.

This possibility had been foreseen and provided for during the treaty negotiations. In connection with the signing of the treaty, President Carter provided each party with a letter in which he assured them that in the event the U.N. failed to provide a force, "The President will be prepared to take those steps necessary to insure the establishment and maintenance of an acceptable alternative multinational force."

Pursuant to that assurance, a U.S. delegation, led by Ambassador Sterner, has participated over the past several months in negotiations with Egyptian and Israeli delegations which have resulted in the agreement package which has been provided to the committee.

Ambassador Sterner is fully prepared to answer your detailed questions about the agreement itself. I would like to confine the remainder of my remarks to those highlights which I believe are of primary interest to this committee.

First, we have agreed, subject to congressional approval, to contribute to the force an infantry battalion, a logistics support unit, and a group of civilian observers. The number of American personnel will be slightly more than 1,000, or a bit less than one-half of the total complement of the MFO, which may approach 2,500 persons.

I know the committee will be interested in understanding the reasons that have led the U.S. Government to undertake this commitment. When it became apparent that the United Nations could not at this time provide forces and observers as called for in the treaty, Israel made a strong appeal for U.S. participation in the Multinational Force. It did so on the grounds that without the assurance of the U.S. veto against premature or unjustified withdrawal of a U.N. peacekeeping force which the treaty specifically calls for, U.S. participation was required to give the parties confidence in the stability of the alternative Multinational Force.

Egypt also agreed to U.S. participation on these grounds. The administration believes it is strongly in the U.S. interest from the standpoint both of strengthening the Egyptian-Israeli peace and of being able to pursue further stages of the peace process that the security arrangements established to carry out the terms of the treaty be ones that are stable and ones in which the two sides can have the fullest possible confidence.

In this connection, let me also assure you that the administration intends when the U.S. contingent is introduced into the Sinai to comply fully with the reporting requirements of the War Powers Resolution concerning the introduction of U.S. Armed Forces equipped for combat into foreign countries.

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Second, we have undertaken certain financial commitments subject to congressional approval. Beginning in fiscal year 1983, Egypt, Israel, and the United States each will provide one-third of the annual costs of the MFO, which we tentatively estimate will be approximately $35 million for each country.

During the period prior to September 30, 1982, there will be unusual startup costs associated largely with necessary construction activities. We have undertaken, again subject to congressional authorization, to provide 67 percent of those costs with Egypt and Israel dividing the remainder equally. Accordingly, the legislation we are submitting today, in addition to providing for the participation of U.S. personnel in the MFO, authorizes the appropriation of $125 million for our fiscal year 1982 contribution.

We also intend to reprogram up to $10 million in fiscal year 1981 from economic support fund assistance to the peacekeeping operations account to assist with the funding of initial activities necessary to prepare for the establishment of the MFO. Egypt and Israel each are making available $20 million immediately from their own resources for the same purpose.

Third, we have undertaken to continue our aerial surveillance to assist in monitoring compliance with the treaty terms. These missions will be carried out in the same manner and format as they are at present, but will be expanded upon Israel's final withdrawal to cover zones A, B, C, and D.

Fourth, the United States has assured the parties that it will take certain additional actions as required and as appropriate, subject to congressional authorization. The United States has undertaken to propose to the parties a U.S. national to serve as Director General of the MFO. In this connection, Egypt and Israel on Friday presented to Ambassador Sterner letters in which they appoint Mr. Leamon R. Hunt, a retired Foreign Service officer, to serve as interim Director General.

In the event the parties are unable to agree on the appointment of the Director General, the appointment of the force commander, or MFO financial matters, the United States will make proposals which the parties will accept. The United States will use its best offices to find acceptable replacements for contingents that withdraw from the MFO. The United States will take the steps necessary to insure the maintenance of an acceptable MFO.

Finally, let me say a word about troop contributions from other countries. Egypt and Israel have asked the United States to assume the primary role in approaching potential contributors.

In this, we have had some encouraging results. It appears thus far that we will be able to count on one battalion from Latin America and another from Asia. We also are approaching other countries to provide support elements for the force, such as air support and communications units.

However, our approaches constitute ongoing diplomatic discussions which, within the countries concerned, are considered confidential. I therefore believe that if the committee desires further information on this aspect, it should be handled in a manner that preserves the confidentiality of our diplomatic efforts.

We will be consulting with Egypt and Israel concerning a mutually agreed time for the Protocol to be signed, an event at which the United States will act as witness, as was the case with the treaty of peace. The agreement will then come into force when each party has notified the other that all its constitutional requirements have been fulfilled.

In the meantime, Mr. Hunt, as interim Director General, is empowered by the parties to undertake construction activity in the Sinai and other activities necessary to insure that the MFO can be in place by March 20, 1982, as agreed.

Mr. Chairman, the conclusion of this agreement represents a victory for creative diplomacy. It also reflects the determination of Egypt and Israel to proceed with the strengthening of peace between them despite severe obstacles. Our own undertakings are fully in keeping with our policy to remain a full partner in their historic endeavor. It is in this light that I request this committee to lend its support in enabling us to put into place an essential building block in the emerging structure of peace in the Middle East.

In closing, I would like to emphasize the urgency of the task before us. Much remains to be done before the MFO can be in place. All available fiscal year 1981 funds will be obligated by September. And legislation is essential if the necessary preparations are to continue without interruption in October and be completed by next March. I know that you will carefully examine the joint resolution we have proposed.

My colleagues and I are prepared to respond to your questions and to be of all possible assistance in your consideration of this important legislation. I hope that you will be able to conclude your deliberations as soon as possible and report the resolution favorably with a view to its early passage.

Thank you, Mr. Chairman.

The CHAIRMAN. Do any of our other distinguished guests wish to make any opening statements before we begin questioning?

General COOLEY. No, sir.

Ambassador STERNER. No, sir.

The CHAIRMAN. Then I will yield to my colleagues for any comments that they would like to make.

But I will say this: Inasmuch as I was away from Washington over the weekend and did not have an opportunity to comment or an occasion to comment on the bombings in Lebanon, I think, before beginning this hearing, members of this committee may wish to do so. I cannot overlook the fact that a major setback has occurred this weekend to a search for peaceful solutions to problems in the Middle East.

I therefore would like to comment on this. I note that Senator Kassebaum made a statement on Friday, and I have notified her office that she would be recognized if she wishes to make any comment of her own when she joins the committee today.

The escalation of military and terrorist actions in the Mideast threatens the peace of the region and must be stopped. It is essential that Mideast leaders cooperate with Ambassador Habib's effort to reduce tension and end the violence and simply not undercut his mission and, therefore, undercut the President of the United States.

I would urge Prime Minister Begin, as the leader of the nation in the area with the greatest military resources, to take the lead in seeking a cease-fire. It seems clear that the escalation is not only unwise and unnecessary, but also counterproductive to the interests of all the parties involved.

Certainly, for Israel, which requires peaceful borders for its security, the escalation of hostilities is exceedingly hazardous. The Palestininans must know by now that continuation of cross-border shelling only will bring severe retaliation.

In these unsettled circumstances, I strongly favor and have so advised the Secretary of Defense, the National Security Adviser, the President, and the Secretary of State, to continue suspension of the F–16 shipments to Israel.

Were we to release the planes now, it would be interpreted in capitals throughout the world that we, the United States, acquiesce in the Israeli raids on the civilian targets in Beirut. Five of seven major Israeli newspapers already have editorialized against the raid on Beirut.

The interests of the United States in seeking peace in the region are seriously impacted by the Israeli raids. How can we play an effective role in helping to negotiate peace and stability between Israel and the Arabs when the Prime Minister of Israel orders the bombing of a civilian area of Beirut?

I would yield to any of my colleagues who would like to make any comments.

Senator Helms.

Senator HELMS. Mr. Chairman, I commend you on your statement.

The CHAIRMAN. If you have an opening statement, we will hear it.

Senator HELMS. Well, I have no opening statement, except to commend you on your statement that you just presented.

It seems to me that Prime Minister Begin is bordering on losing every bit of his credibility. This simply must stop. And the strongest sort of message ought to be sent to him in this regard.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Lugar.

Senator LUGAR. I have no comment.

The CHAIRMAN. Senator Mathias.

Senator MATHIAS. I will pass. Thank you.

The CHAIRMAN. Secretary Veliotes, we very much appreciate your being here.

Let me announce that we have a vote on now, and I think probably we had best take a 10-minute recess to attend to the vote, and when we return we will resume our questioning.

[Brief recess.]

The CHAIRMAN. Secretary Veliotes, we thank you for your statement.

In addition to the obligation which the United States accepted in the proposed exchange of letters with Egypt and Israel, are there any other commitments, agreements, or understandings, either written or oral, public or secret, connected with these arrangements?

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Ambassador VELIOTES. No, sir. Everything that exists, the committee has.

The CHAIRMAN. The committee has everything that involves our participation?

Ambassador VELIOTES. Yes, sir.

MFO ARRANGEMENTS

The CHAIRMAN. How do the MFO arrangements affect the existing interests of the United States in the security of Israel and Egypt? Do you regard the MFO arrangement as additional U.S. commitments to the defense of either country?

Ambassador VELIOTES. Sir, no, not in the sense of a defense treaty or of commitment to use American troops. However, the MFO is a very important supplement to the security of the area, to the confidence that each country will have in the arrangements, and in the peace treaty itself. I believe that it is in that latter category that the MFO makes its greatest contribution to security and defense.

ARRANGEMENTS NOT CONCLUDED IN THE FORM OF A TREATY

The CHAIRMAN. Why have these arrangements not been concluded in the form of a treaty for submission to the Senate for advice and consent, Ambassador Sterner?

Ambassador STERNER. Mr. Chairman, I think the parties felt that this was an implementation of the treaty and therefore did not require an additional undertaking of this import. It was framed in these terms. It is called a protocol, and it has annexes attached to it. And our commitments are in an exchange of letters. This was a mutually agreeable form in which to express this agreement.

EFFORTS TO FIND REPLACEMENT FORCES

The CHAIRMAN. The United States is undertaking both a political and economic commitment in the letters we are exchanging with the Governments of Israel and Egypt. We are required to use our best efforts to find replacement forces should one of the other contingents withdraw.

What precisely would this entail. Mr. Secretary?

Ambassador VELIOTES. From the beginning, sir, President Reagan pledged our best efforts. What it actually has entailed in the context of the developments concerning the negotiations of the MFO has been a series of informal consultations between the United States and prospective donor countries, the countries themselves having previously been agreed to by Egypt and Israel.

Perhaps Ambassador Sterner would wish to elaborate.

Ambassador STERNER. Not really. I think that expresses it.

The Chairman. If, for instance, we do fail to convince another nation to replace the withdrawing forces, will more American troops be used, or is it possible that someday the force might overwhelmingly have to be American?

Ambassador VELIOTES. Based on our discussions to date with our countries, Mr. Chairman, we believe that this is a very remote contingency.

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Ambassador STERNER. I would just like to add to that, Senator, to make it very clear to the committee that during our discussions with the parties, no undertaking has been entered into by the United States to expand our presence in any manner beyond the elements that are detailed in the letter which you have before you.

ARRANGEMENTS COULD BE CHANGED BY MUTUAL AGREEMENT

The CHAIRMAN. We must face that we struck out in one respect, because the Israeli-Egyptian Peace Treaty envisioned a force which would operate under U.S. auspices. Have we actually abandoned this hope? And do the Israelis and Egyptians still favor a U.S.-sanctioned force if it is possible to put it together?

Ambassador STERNER. Senator, if you will look at the language in the first paragraph of the Protocol, after the preamble, you will see that the possibility of changing the arrangements that are established with this agreement is expressed in very general terms. That was a deliberate decision by the parties.

In other words, there are a number of possibilities by which change can take place. Replacement by the U.N. force is one of them. But also, for example, the parties could exercise article 4 of the treaty which simply states that either side can request a review of any of the security arrangements that the treaty provided for and that those arrangements could be changed by mutual agreement.

So, conceivably, sometime in the future both sides could sit down and decide that they did not want to replace the MFO with a U.N. force but perhaps wanted to do away with it altogether or set up a group of observers to replace it.

I think it is important to realize that this is not the only route by which a change could be made.

STATUS OF OUR DISCUSSIONS WITH OTHER NATIONS

The CHAIRMAN. I wonder if you would update for us what our relationships have been with other countries with whom we have discussed this. We have seen newspaper reports, for instance, about the Australian Government's determination not to participate.

What is the status of our discussions with other nations that might be likely contributors of forces? Would you comment on those discussions and give us some feeling as to what has caused nations not to want to participate?

Ambassador STERNER. Mr. Chairman, we have approached a number of countries that the two parties themselves agreed at the very beginning of our discussions, in February, that they would both find acceptable to come in. We have done this in a seriatim manner because we felt it was important to try to pin down the main components of this force, the three battalions to begin with, and then we could look to certain other countries to provide some of the support elements that require more specialized techniques and skills.

As Assistant Secretary Veliotes said in his statement, we would ask the committee's forebearance in not going into the specifics of these diplomatic exchanges at the moment with the individual countries. We are still in the process of trying to pin down commitments. We

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have, in some cases, commitments in principle. But we are still engaged in discussions to determine the precise terms on which these countries would be willing to participate.

REASONS GIVEN BY COUNTRIES AS TO THEIR RELUCTANCE

The CHAIRMAN. Without reference to any particular country then, what reasons have been given by countries as to their reluctance? Are they concerned, for instance, about trade embargos?

Ambassador STERNER. Yes, there has been some concern expressed about that. There has been some concern expressed about the fact that this would be done outside of the U.N. framework.

There have been, for example, in a couple of cases, statements to the effect that they are already engaged in peacekeeping missions elsewhere in the world and this would stretch them too thin in terms of their military capability. There have been a variety of reasons used.

The CHAIRMAN. Thank you very much.

Without objection, because there are a number of Senators indicating that they will be coming to the hearing this afternoon, we will proceed on the 10-minute rule.

Senator Kassebaum, each of us has had an opportunity to comment on the raids over the weekend, if we wish to. You may care to comment. I know that you made a very forthright statement last Friday. If you would care to comment, we would be happy to have you do so at this time.

Senator KASSEBAUM. Mr. Chairman, I understood that you made a statement; I certainly would concur with the remarks you made earlier, as they have been reported to me.

I did say on Friday that I felt it would be most unfortunate for us to follow through with the transfer of the F–16's at this time to Israel and for any definite time. It seems to me the real tragedy at this moment is the insensitivity that was displayed to the long-term goals of Israel as well as our own allies in the Mideast and the interests of the United States.

Personally, I think that more arms into the Mideast at this point, whether it is to Saudi Arabia or Israel, would be most unfortunate. I would certainly support the comments that you have made. I think it is in the interest of all parties concerned. I know that Ambassador Habib is in the Middle East at this time trying to work out some agreements that will deescalate the situation. I certainly wish him every success.

As I have said earlier, at the time of the Israeli bombing of the Iraqi reactor, I believe we should be encouraging every avenue to broaden peace initiatives in the Middle East. I think that the present situation only would indicate the importance of that to everyone concerned.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, indeed, Senator Kassebaum. I was particularly anxious to give you this opportunity, because I know that some reports of what you said Friday were incomplete. I felt that you had the right to have what you said taken in its full context. Your complete statement was far better than the extracts of it that were printed in the press.

Senator KASSEBAUM. That frequently is the case.

Senator LUGAR. Mr. Chairman, may I make just a short statement while we are doing that?

The CHAIRMAN. Of course.

Senator LUGAR. I did not know that you were going to make a comment today, but I think it was fully appropriate. I listened with interest to what you had to say to Senator Kassebaum's statement.

It seems to me unfortunate that the F–16's were stopped in response to the raid on the Iraqi nuclear facility, a subject which is totally unrelated to the current situation in Lebanon. We are now caught, in a way, in some problems which have been created by earlier activities and responses. In other words, the raid on Iraq and the action in Lebanon are two separate events, although they are related in a larger sense to the general problems of the region.

Having said that, the fact is the F–16's were stopped. I would concur that at least several things need to happen before we ought to resume sales, one of which would be to discover—and apparently, Mr. McFarlane did not—whether the Israelis have a plan for attempting to disperse the PLO or others who are lobbing shells into their country and disrupting life there.

It is conceivable, although I think we are all reaching for a rationale for this, that Prime Minister Begin's government has a course of action which, if not war, presently is a very concerted affort to clear up a situation that has been extraordinarily troubling for that nation for a long time. That, I think, is implied in what they are doing.

But there is clearly an obligation on their part, if that is their course, to make certain that we know about it, that we have a very good idea of what they are doing. This afternoon we are considering a situation in which Senators are being asked to confirm the sending of American people to that area. It is an ironic situation to be talking about a peacekeeping mission that secures Israel's border with Egypt at the same time that we apparently have not been informed as to what they have in mind with the PLO or with Lebanon.

So I would think, at a minimum, we need to know that. I would concur with Senator Kassebaum that until we have a very good idea of what Israel is doing, we should not send any further arms to Israel. Indeed, I like her wider idea. We have now a good opportunity for this country to stand back for just a moment and try to understand why we are sending arms to anybody in the Middle East. I mean that really quite seriously.

For the moment, we have this opportunity, though it is not one we would have chosen. American arms are headed in all directions, intended for good purposes. But I think, for the moment, we ought to have a moratorium on arms shipments and simply find out what all of our friends are up to. I think it offers us some leverage ultimately to do the right thing.

The CHAIRMAN. I thank you very much, indeed, Senator. I did not give advance notice because I did not know I was going to make this statement myself until we had a request from one network, one syndicated columnist, and other requests were likely. So I decided it would be best to get it done right here. Certainly, it is pertinent to the whole subject matter.

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I feel when Israel has a partnership, certainly a close partnership with us, that we ought to be more aware. I was taken aback, after spending hours with Mr. McFarlane, who had just returned from talks with Mr. Begin, to have no hint of any kind of action would be taken. I felt we had a better understanding as to the effects on us, a partner, of actions which would be unilaterally taken.

The same feeling, I know, was very strongly felt by a partner in this whole enterprise, Egypt. President Sadat was taken aback when it was only a matter of days after an intimate meeting with Prime Minister Begin, that he was totally surprised and shocked by the Israeli attack on the Iraqi nuclear reactor.

So we have not, apparently, reached that commonality of understanding. And I think it best that we do reach that understanding. In the meantime, hopefully, we will have a cease-fire—a moratorium on military actions until we attain the kind of partnership that we must have to preserve understanding between the partners. This is necessary in order to secure peace for the area and secure for Israel the recognition of its sovereignty, the right of its people to live in peace, and the right to live behind defensible borders.

We are unflinching in our devotion to that cause. We find our activities being literally undercut by actions which are being criticized not only throughout the world but within Israel itself.

I must say that I found severe criticism. I have never heard such criticism as I have heard this weekend across the country as I talked about this particular issue. So it is pertinent to our hearing.

Senator Helms, we are ready for any questioning that you may have.

Senator HELMS. Thank you, Mr. Chairman.

I think there has not been a time when Israel needed understanding more than she needs it now. I think the present judgments being made by Prime Minister Begin are diminishing the possibility of that.

Mr. Veliotes, I know you do not want to mention names, and I will not ask you to do that, in terms of participating nations in the peacekeeping effort. But I wonder, do you have even one hard commitment from another nation to participate?

Ambassador VELIOTES. Yes, sir.

Senator HELMS. Do you have more than one? If so, how many?

Ambassador VELIOTES. We have one hard commitment and several others that are almost hard. But I want to emphasize that we have not been pursuing formally these requests in many countries. For example, you may have several candidates from an area of the world. If you think that candidate A is likely to say "Yes" in the near future, you will raise it with candidate B and see in general terms. It is possible if we had gone out on a full court press, my point being, we could have had quite a few more positive.

Senator HELMS. So the answer to my question is, you do have one.

Ambassador VELIOTES. We do have one.

Senator HELMS. And several possible.

Ambassador VELIOTES. Several possible.

OTHER TYPES OF WEAPONS

Senator HELMS. A great deal of emphasis, of course, is placed on the F–16's. Let me go through the other weaponry. How many and what

type of weapons other than the F–16's are in the pipeline for Israel over, say, the next 12 months?

Ambassador VELIOTES. Senator, there are a number of heavy end items as well as spare parts and other things. I would have to get that information for you and submit it to the committee.

Senator HELMS. If you would do that, I would appreciate it.

[The information referred to is classified and in the committee files.]

WOULD WE WITHDRAW OUR FORCES?

Senator HELMS. I had expressed to me in a number of telephone calls over the weekend apprehensions about the possibility that American personnel in the peacekeeping force might be caught in the middle if the Israeli-Egyptian peace agreement falls apart over Palestinian and West Bank issues and a new war starts. This may be a question that reaches too far in the crystal-ball area, but I think I will ask it, anyhow. Do you think we would withdraw our forces if a new new Israeli-Egyptian war appeared imminent?

Ambassador VELIOTES. Senator, that is a very good question.

The standard operating procedure for the Multinational Force—the MFO—will be worked out with the various contributing countries concerned. These will be the rules of engagement. We cannot totally rule out a breakdown in the area, but we view that the resumption of hostilities between the two countries is truly extremely unlikely insofar in the future as anyone can see.

However, in the event of an outbreak of hostilities—even the unlikely event—the exact role of the peacekeeping force would have to be determined by circumstances. We certainly would not envision, under any circumstances, the MFO dealing with a situation of general hostilities.

Senator HELMS. So you have not gotten far enough along then to know what our response would be if American troops were to be fired upon?

Ambassador VELIOTES. No, sir. What we will have—and we will share it with the committee—is the standard operating procedures which would be the rules of engagement. But even those will not really answer all of the questions, because even those depend upon the particular circumstances at the time that there might be a problem.

Senator HELMS. Let me go back to the one nation that has firmly agreed to participate with us. You may want to answer this question in executive session, if at all. Was there any quid pro quo extended for that commitment?

Ambassador VELIOTES. No, sir.

WAR POWERS ACT

Senator HELMS. Do you envision that the War Powers Act may come into play at any point during the U.S. participation in this peacekeeping force?

Mr. MICHEL. Senator Helms, there are two aspects of the War Powers Resolution that could be relevant here. The first is that section 4(a)(2) of the War Powers Resolution requires a report to Con-

gress within 48 hours after U.S. forces are introduced into foreign territory while equipped for combat. It is contemplated that there would be, within the MFO, a U.S. contingent that would be equipped with weapons and that a report would be filed when that force is introduced in accordance with the terms of the resolution.

The joint resolution that the administration has proposed to authorize our participation and our financial contribution to the MFO contains no exception from the application of the War Powers Resolution.

The other possibility that exists is that the U.S. members within the MFO might be exposed to a situation of imminent involvement in hostilities or might actually become involved in hostilities. In that event, again, there is no exception, and the War Powers Resolution would apply.

As Ambassador Veliotes pointed out, we believe that is a much less likely contingency.

Senator HELMS. So you would consult with Congress?

Mr. MICHEL. Surely.

PARTICIPATION WOULD INVOLVE $35 MILLION

Senator HELMS. I believe the statment indicated that U.S. participation would involve $35 million for us and $35 million for the other countries; is that correct?

Ambassador STERNER. I am sorry, Senator, would you please repeat just the end of your question?

Senator HELMS. I was inquiring about the cost of the peacekeeping cost and the shared cost, in particular. Our part would be an estimated $35 million; is that correct?

Ambassador STERNER. In subsequent years after fiscal year 1982, the arrangement is that we would pick up a one-third share with the two parties sharing the other two-thirds share of the total cost.

The total costs are judged to be somewhat over $100 million. So that would be about right: $35 million in the first year. That is to say, the rest of fiscal year 1981 and fiscal year 1982 we would pick up a greater share of the cost because of exceptionally heavy construction costs during this period.

REACTION OF ANY ARAB NATIONS TO OUR PARTICIPATION

Senator HELMS. I have one final question, Mr. Chairman.

Gentlemen, do you have any feel for the reaction of any Arab nations to our participation in the peacekeeping force? Is it too early to tell, or have you had any response from any country?

Ambassador VELIOTES. No. I believe, regardless of attitude toward the Camp David Accords, most Arab countries, particularly the friendly moderate Arab countries, do not quarrel with Egypt's imminent recovery of all of its territory. I think that is very important in this equation. I do not mean to suggest that this leads them to support the Camp David process. But the moderates can understand and have been careful not to criticize Egypt's right to obtain the full return of the territory occupied in 1967.

Senator HELMS. So there has been no increase in the volatility of the situation as a result then?

Ambassador VELIOTES. No, sir.

Senator HELMS. Mr. Chairman, thank you very much.

Thank you, gentlemen.

The CHAIRMAN. Thank you, Senator Helms.

Senator Lugar.

Senator LUGAR. Mr. Chairman, thank you.

Ambassador Veliotes, let me ask why you feel that the United Nations was unwilling to respond to this peacekeeping venture? Why did things break down, as you pointed out in your statement? But why was the U.N. unwilling to take this up?

Ambassador VELIOTES. There is a very short answer to that, Senator, and that is the attitude of the Soviet Union.

SOVIETS WERE NOT EAGER TO SEE PEACE BETWEEN ISRAEL AND EGYPT

Senator LUGAR. In other words, the Soviets were not eager to see peace between Israel and Egypt, and do not want forces there to preserve it? How would you characterize it?

Ambassador VELIOTES. The Soviet Union, in my opinion, did not wish to be viewed as endorsing or being a party to the American-led peace effort under the Camp David Accords.

Senator LUGAR. Do you mean they resented our leadership in the area?

Ambassador VELIOTES. Yes, sir.

Senator LUGAR. And because we had taken a role, a very important one, they are very deliberately attempting to spoil what is occurring there?

Ambassador VELIOTES. Yes, sir.

Senator LUGAR. Given that situation, which would explain why the U.N. could not get involved, why would any nation other than the United States wish to volunteer? I am grateful for your assurance that at least one other nation has and that perhaps more will. But why would other nations want to become a part of that peacekeeping force?

MANY NATIONS SUPPORT CAMP DAVID ACCORD

Ambassador VELIOTES. I think different nations would have different motives. Some nations have a tradition of working in peacekeeping operations and supplying troops. Many nations support the Camp David Accords and, in particular, the Egyptian-Israeli Treaty, as the essential element of a structure for peace as we look to the future.

I think those would be two of the major motivations. Perhaps Ambassador Sterner would care to add to that.

Ambassador STERNER. I would only say that I think some nations would respond to the proposition that the free world should not allow the Soviets, in effect, to block sovereign countries from responding to an appeal by two sovereign states that have decided to live in peace with each other to contribute to arrangements which enable them to do so. I think that is an important factor, certainly for us and for certain other countries as well.

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Senator LUGAR. I certainly would concur that that would be an admirable objective. What I suppose I am driving at is that the United States has been attempting to interest other nations, some of them large European allies, in the Middle East for a while now. We have been trying to get support in a lot of areas for various policies that we think are important. Now, maybe there is a peculiar aspect to this peacekeeping mission which is not found in other policies we are attempting to pursue in the Middle East. But I am curious as to why nations would come to assist us on this occasion when they have in other cases failed to see that same urgency.

Ambassador VELIOTES. Let me limit my response to the peace keeping process, Senator, because I believe it is that element which is most important in this respect. It is true that a number of nations, including some European nations, have not endorsed the autonomy talks as the best solution for the Palestinian problem. However, those same European nations all support the Egyptian-Israeli Treaty. That is noncontroversial.

Senator LUGAR. As you pointed out in your statement, the peacekeeping force is an integral part of attempting to solve the Palestinian issue or other problems. In other words, it is all a part of the Camp David process, which is the reason we are being asked presently as a nation to go forward with troops and also with money.

A THREE-WAY SPLIT

Now, regarding the money, why should the United States bear 60 percent of the startup costs in the fiscal year 1982 contribution? Why do we not have a three-way split on that?

Ambassador STERNER. Senator, when we started out, I think we would not really have expected to get as good a deal as we did in a three-way split. Bear in mind that if this thing were funded under a U.N. arrangement, the amounts that the two parties would have to pay would be infinitesimal under a U.N. assessment compared to what it would be here. So this is a very large extra burden that the parties themselves have assumed, because the United Nations has failed to act.

I will come to your point in a moment. I am sorry to take so long, but I felt it was essential background.

We were very pleased with the arrangement that we got for after fiscal year 1982. When the parties were informed of the very heavy initial expenses required for construction of facilities that would house the force, they appealed to us simultaneously, but separately, to help them out on that first year's cost and to give them an easement, as it were, on the one-third/one-third/one-third split. So the present arrangement is for the remainder of fiscal year 1981 and fiscal year 1982 the split would be 60–20–20.

This still is a large amount of money for two quite poor nations with heavy expenditures in other fields to be putting up. For example, it is going to be about $40 million for each of these countries in fiscal year 1982.

Senator LUGAR. That is quite true.

But clearly, we are attempting to do both of them a favor. We are trying to keep them from going to war with each other. That is part of our policy, of course. If we want peace in the Middle East, we are willing to expend some money to try to bring that about.

But the two parties involved, Egypt and Israel, are the major beneficiaries of not being in a war with each other. Granted, there is a burden, given the fact that the U.N. did not pick up the tab.

We are in the predicament of trying to maintain peace in that area, and clearly the expenditures for that goal are considerable. It is a strange situation in which both Israel and Egypt are arguing that they are poor nations relative to this country. There is no doubt about that. But at the same time, the taxpayers of this country have a right to raise this question. We are all in this together, and in fact, our two friends, Egypt and Israel, are the major beneficiaries of the attempt to create circumstances for peace.

This is why, I suppose, I look a little skeptically at this arrangement, although I grant you, after the U.N. backed out for reasons that you have stated we then were left with a difficult problem.

We are to bear 60 percent of the startup costs of the operation before it is shared at $35 million apiece for however long it goes. This is not a devastating item that ought to unravel the whole plan. but it is important in our negotiations with the parties involved that they understand not only how much we want peace in the Middle East but that we have not lost our senses in terms of dollars and cents and the responsibilities that are involved in this project.

Ambassador STERNER. I think I agree completely with what you have just said, Senator. I took that position with the two sides from the very beginning. They were pretty reluctant to contribute to this, for understandable reasons. Their assessment would go much higher than it would have if the United Nations would have done this.

But I took the position that it was unconscionable, and I could not recommend it to my own Government, to do anything except on a cost-sharing basis, for the precise reasons that you have stated, Senator.

Senator LUGAR. Mr. Chairman, I would just add one other comment, which is not really a query with regard to this proposal but simply a part of the dialog we have had with the State Department on this part of the world for a while.

As we discussed armaments for the Middle East this year with your colleagues, we got into a situation in which it was suggested that in the event that enhancement of aircraft that had previously been agreed for sale to the Saudis had occurred and then the AWACS were added to it, conceivably additional equipment might be made available on concessional terms to Israel. This began to mount up into some very substantial dollars that go well beyond this pact.

The Sinai peacekeeping proposal, in terms of the sheer numbers of dollars, is a fairly small item and could almost be dismissed as small change compared to the totality of what is being drawn up for all of the parties involved. Given the thought that I and others on the committee expressed earlier, it may be appropriate to take a little time with regard to these expenditures. I am just not certain that all of the parties involved are quite up to speed with the temper of the American taxpayers right now.

Members of this committee often take on substantial political hazards in trying to see a very broad view of this world. You gentlemen have negotiated very well. But I think there may be a miscalculation by many in the Middle East right now as to the totality of our generosity. That includes Israel, Saudi Arabia, and Egypt, and other nations as well.

In other words, at some stage there comes a time when we really need to take a look at what America's interests are and finally to see whether anybody else shares those interests and to that extent begin to allocate our money perhaps in a more parsimonious fashion and more directly.

You might say that it is unfortunate that this particular proposal comes up right in the midst of everything else that is going on. But, in a sense, too, it is fortuitous, because as schooled diplomats, I am sure you understand precisely what I and everybody else are talking about. This offers us a good public forum for saying publicly what we might have said privately.

So I commend you on the presentation you have made. I think it is a very important debate that will ensue. But, unhappily, this does not go as a solo voyage divorced from all of the other events that are occurring simultaneously.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, indeed, Senator Lugar.

Senator Kassebaum.

Senator KASSEBAUM. Thank you, Mr. Chairman.

I certainly share Senator Lugar's concerns, and this is an important debate. I would like to follow on a bit, perhaps really just for my own edification, on the question of the United Nations and the reluctance of the Security Council to participate in a U.N. peacekeeping force.

PEACEKEEPING FORCES

In the past, when there have peacekeeping forces, I would have thought the Soviet Union also would have been reluctant to support the forces in the Sinai, for instance, or the Golan Heights. There have been many other instances where the peacekeeping forces have been used which I would think had not been fully supported by the Soviets. How was that approached in the past, and why would it be so different now?

Ambassador VELIOTES. In the aftermath of the October war, we did have the Geneva Conference, of which the Soviet Union was cochairman. That was in October 1973. However, all of the subsequent agreements between the belligerents were achieved under our auspices. Under those circumstances, it was really very difficult for the Soviet Union at that time to say that it would not agree to a U.N. force in the Sinai that the Egyptians agreed to, or a U.N. force on the Golan that the Syrians had agreed to. It just was not possible.

I might say that the same situation in 1978 in southern Lebanon occurred when clearly the Arabs concerned, including the Syrians, were supportive of UNIFIL. The Soviets found themselves, if you will, outflanked. In this instance, most of the Arab world is in formal opposition to the Camp David Accords, and those Arabs with whom the Soviets have the closest relations are violently opposed to Presi-

dent Sadat. This, therefore, helps to color Soviet attitudes with respect to this particular peacekeeping force. The Soviets could say "No," and they said "No" with the support of those Arabs who are closest to them.

SUPPORT FROM ANY OF THE NATO COUNTRIES

Senator KASSEBAUM. Perhaps this came out earlier in the questioning by Senator Percy and I missed it. Have we had any support from any of the NATO countries in this or from any of the participants in the Security Council?

Ambassador VELIOTES. We have had some expressions of interest which we will be following up, Senator. I do not know if you were here when we explained that the ongoing discussions with the various countries were considered sensitive from their point of view, so we are deferring to them.

Senator KASSEBAUM. I was not here at the time. So then you essentially feel that there really are no other avenues with the United Nations, that basically that is closed?

PROCESS WITH RESPECT TO THE SECURITY COUNCIL

Ambassador VELIOTES. No. Ambassador Sterner might wish to comment briefly and describe the process with respect to the Security Council.

Ambassador STERNER. Thank you.

Senator, we launched together with the parties very intensive consultations earlier this spring merely as a first step after our initial discussions with the parties about how we should proceed to implement the treaty. That process took place over a 6-week period. It was very painstaking. It was apparent that the Soviets were determined not to let pass a resolution creating a peacekeeping force.

This situation, in which the Security Council could not act, was documented in the middle of May, when the Egyptian Government addressed a letter to the then-President of the Security Council and and got a reply in return which said that the Security Council unfortunately was not able to act at this time. So the answer is, I think, that at the present time and probably for the foreseeable future, until conditions possibly change totally in terms of the progress of the peace settlement, it is not likely that a U.N. force will be available.

COMMITMENT FOR A THIRD OF THE COSTS

Senator KASSEBAUM. Regarding the financing of it, we have assumed a commitment for a third of the costs along with Egypt and Israel. Egypt and Israel will have the resources to contribute their one-third share of those costs; is that right?

Ambassador STERNER. Yes. We have been assured of this. As a matter of fact, to start up the organization, and particularly the construction which urgently needs to be done, the two sides have agreed to put up $20 million each to begin that construction.

Senator KASSEBAUM. Does that take care of our expenses of our troops who will be stationed there, or will we have that expense on top of the one-third commitment?

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Ambassador STERNER. The basic arrangement is that the United States along with other relatively well-off countries, that may participate in the force would be asked to absorb the costs of normally maintaining such a contingent at home and that only the costs over and above that for sending them to the Sinai for duty in the Sinai would be charged to the Multinational Force.

So the answer is things like salaries and training, if training were normal in the United States, for example, for this battalion, would not be charged to the Multinational Force. If they have to have special equipment purchased specifically for this mission, then presumably it will be charged to the Multinational Force. Transportation, of course, would be.

Senator KASSEBAUM. Thank you, gentlemen.

Those are the only questions that I have at this time, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Kassebaum.

Senator Boschwitz.

Senator BOSCHWITZ. Mr. Chairman, I am sorry I missed the earlier parts of this meeting. I have been briefed a number of times by Ambassador Sterner and also Ambassador Veliotes on this subject.

I start my comments and will conclude my comments by congratulating both these gentlemen, particularly Ambassador Sterner, for pulling this off at a very sensitive time in the Middle East and at a time that certainly is fraught with many difficulties over there.

ARMS RACE

As Senator Lugar said and Senator Kassebaum said, it certainly is a kind of can of worms in the Middle East. The idea of putting some type of end, a moratorium, on the shipment of arms into the entire area, and getting other countries to do the same, would be a very interesting thought and, I think, a very welcome one. Certainly one of the developing dangers is the heightening of the arms race that is taking place in the entire area.

A lot of the problems that we so unfortunately see developing in Lebanon are the result of new weapons being sent in to the PLO with which they continue, and have stepped up, indeed, their bombardment of Israel. Israel has taken rather stern measures in response that certainly from this direction looked very stern indeed, but perhaps we lack some of the perspective that they have on a day-to-day basis, living in that country.

However, I would be very interested in pursuing the idea of an arms embargo by all nations into the area. It probably would do a good deal in bringing about a cessation or a slowdown or a lessening of the difficulties that we see there.

So, as I start off, I also end by thanking Ambassador Veliotes and Ambassador Sterner and the others of your group who have consulted with us. It certainly is a tribute to you and our State Department that we are able in the midst of these difficulties to pull off this agreement.

I think it is a tribute to President Sadat that he continued the negotiations in the midst of the difficulty. And I believe and hope that it is an indication that President Sadat intends to continue in his position even when all of the Sinai is returned.

So I congratulate you gentlemen on concluding this successful agreement. I trust and hope and am confident that you will find other nations to participate in the Multinational Force and that we will go on from there to a broader peace.

Ambassador VELIOTES. Thank you, Senator. Let me say on behalf of all of us we very much appreciate the time that you and your subcommittee have given to Ambassador Sterner and our team. And we benefited from and valued the guidance that we received.

Senator BOSCHWITZ. Thank you.

Ambassador STERNER. Thank you very much, Senator.

The CHAIRMAN. Thank you very much, Senator Boschwitz.

I would like to pursue a question which I asked before. I do not really feel I have a satisfactory answer to it. I think the question may well be raised in the light of all that is now going on, since you do not do these things in a vacuum but rather do them in the context of a situation which is becoming increasingly dangerous and is drawing us deeper and deeper into it.

EXECUTIVE AGREEMENT RATHER THAN A TREATY

The question is: Should this agreement have been concluded as an executive agreement rather than a treaty? The answer given was that it is an executive agreement because it is, in effect, an implementation of the existing Israeli-Egypt peace treaty.

But, after all, the United States is not a party to that treaty, so it cannot be a source of authority for this agreement. I therefore would have to come back to my earlier question, the question that will be asked of this committee by other Senators. If I gave them the answer the State Department gave us, gave me today, I would not get by with it. Therefore, you cannot get by with it.

We just lost a rollcall vote on a treaty with Canada, involving arrangements about tuna fishing. We have treaties every day of the week involving things that I would have to say 90 percent of the Senate takes—well, less than that, 84 percent of the Senate—takes our word for it. We have approved the Tuna Treaty. We voted it out of committee unanimously, but it still lost.

When we look at the difference between signing a treaty on tuna fishing that involves one Province and three States, and I look at an executive agreement that involves commitments of huge sums of money, U.S. forces, and the prestige of this country, you must explain why you believe this very important matter does not warrant a treaty.

The Founding Fathers felt that literally, as I read the Constitution, most of what we now call executive agreement should have been treaties because it involves the United States of America, its prestige, its position in the world, its treasure, its manpower.

This is an important issue. So I put the question once again: Why an executive agreement rather than a treaty?

Ambassador VELIOTES. I would like the acting legal adviser to reply to you, Mr. Chairman.

Mr. MICHEL. Mr. Chairman, there are a number of factors that went into our deliberations on this question. It certainly is a serious and important question, and we have tried to address it seriously.

The point that Ambassador Sterner mentioned earlier, that the Protocol itself is not regarded as a treaty between the parties, we think is a relevant situation. It is not, of course, the only one, because the United States, as you suggest, could have procedures for its participation in this agreement different from those of the other parties. And the question of our internal procedures is really one for the executive and legislative branches and not necessarily for the other parties. But the degree of formality internationally is a factor, and we took that factor into account.

Another factor is that there was some precedent here in that when the parties entered into a treaty before, in 1979, the U.S. role in the implementation of that treaty was done by letters after consultation with the Congress, and it was concluded in those consultations that that was an appropriate process.

Third, here, where we are implementing the previous treaty wherein our participation had been through letters that were not themselves a treaty, we consulted with Congress again. Again, it was not suggested that this U.S. role was such as to require a treaty. We had no indication in the consultations that it was desired by the Congress that this should be a treaty in this case.

The principal undertakings that are contained in the letters to the prime ministers are, however, subject to the authorization and appropriations actions by the Congress. And we have come forward with legislation. It is not a matter of the executive branch trying to do this by itself without the participation of Congress, but rather is a question of should the participation of Congress be through the treaty process or the legislative process.

We relied on the President and consultation over some time, on the fact that this was not itself a treaty in international practice and finally on the urgency of it all, the desire to bring the agreement into force between the parties at an early date. And we concluded that a treaty was not necessary in these circumstances.

The CHAIRMAN. May I ask whether or not time was an important factor, that a treaty would take more time? Of course, we have been able to act on treaties quickly, as we did today on Canada because of the Ottawa Conference.

We are able to operate with great dispatch under certain necessity, so time is not really a barrier, nor was the fact that it required two-thirds rather than a simple majority? If you had some concern about this, was that ever discussed?

Mr. MICHEL. I do not think there was ever any real concern about a two-thirds vote on this. I think there was concern about the urgency, in that there are implementing steps that need to be taken now in order for the MFO to be in place when the Israeli withdrawal is scheduled to occur next April.

There is also the fact that when we put civilians into the Sinai in 1975, as to consultation with Congress, that was done by joint resolution. When President Carter signed the letters incidental to the treaty in 1979, that was not done in treaty form.

It would seem a bit anomalous in the international negotiating sense to have reversed our position at this time.

Senator BIDEN. Mr. Chairman, may I interrupt at this time, to go back to 1975. If my recollection serves me correctly, I introduced an attempt in this body which concerns Mr. Michel's point. It was not that we did not think about a treaty. I moved that the Sinai Accords be treated as if they were a treaty.

Dr. Kissinger had a hemorrhage. President Ford nearly had a coronary. And my Democratic colleagues, along with their Republican colleagues, were very upset. The argument they used included: A, that elements of it were secret, and I found that very fascinating that we were going to make major commitments and keep them secret so the American people would not know what they were; and B, that it would take too much time.

So, although I thought then and received the wrath of my colleagues and many people in this country for insisting that it be a treaty, I did not succeed. I am unfortunately underscoring the point that you have made; that is, that the Senate not only did not think that it need be a treaty but treated it as executive agreements—the Sinai Accords—which were fairly far-reaching in oil supplies and a whole range of things. If that was not a treaty, I do not know what is. But we insisted that it be an executive agreement at that time.

And now, it may be a bit late to come along after all the publicity and having set a record here in the Senate of insisting that executive agreements are such that they can be so far-reaching and sweeping and relate to the same basic issues—though there are different elements, we are talking about the same basic issues—assuring the security of Israel and intervening, if you will, to keep the peace in various forms.

I think we would be hard-pressed to change this now at this late stage, although I do agree with you, Mr. Chairman, that this surely has elements of and if it were any other place in the world, we would be talking about a treaty.

I will conclude my comment and will take this opportunity to apologize for my late arrival here. I was making a presentation at a caucus.

Making this a treaty, I think, would reverse a trend to which we, in the Senate, were a party for the last 6 years. And I refer to both parties. I think the repercussions it would have around the world as to whether or not we were reneging on what we implied to the whole world at a minimum that what we were going to do would be devastating.

Let me say, in conclusion, that I firmly believe, as I did in 1975, as I did in 1979, as I do in 1981, that we insist upon our responsibility in being party to the making of a treaty much too lightly, that where it politically generates heat, we tend to step away and say executives can make those agreements, where in fact there is nothing to be lost or there is a national consensus the other way, we step in and say, "We are going to exercise our role and insist there be a treaty, that it be treated as a treaty."

And I think that that is how we got ourselves into little engagements in Southeast Asia. I think that over a 30-year period this body acceded to the Executive because we did not have the political guts to step up and take on these issues.

And so I concur with your sentiment. I would strongly argue, though, this is awfully late in the game and the foreign policy repercussions for us to be moving in that direction now. In light of what is happening or not happening in the Middle East and the Persian Gulf and what our European friends are anxious to do if they see the slightest void created, it would be devastating to our foreign policy to begin to try to reconstruct what we ceded in this area of the world 6 years ago.

I thank you for yielding to me to permit me to make that statement, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Biden. I feel more comfortable having a complete record on this particular point, which I feel confident will be raised.

Senator Biden, I would be happy to yield to you for questions, since you have not yet had a first round and we have all completed our first round.

Senator BIDEN. Thank you, Mr. Chairman.

I do have several questions, gentlemen. Please do not be overly polite in answering them if they have already been asked. Just indicate that fact to me and I will check out the record.

DIRECTOR GENERAL OF MFO WILL BE AN AMERICAN

Mr. Ambassador, as I understand it, the Director General of the Multinational Force and Observers will be an American. But the commander of the military forces will not be an American, is that correct?

Ambassador VELIOTES. Yes.

Senator BIDEN. Now, in the event of hostilities, who will determine the circumstances, the use of weapons, the rules of engagement involving U.S. personnel?

Ambassador VELIOTES. The standard operating procedures will be worked out between the Director General, the commander, and the elements that are assigned to the Force. That would be the equivalent of rules of engagement. And they will be shared with the committee.

However, exactly how anyone would react in any particular circumstance also would have to be dependent upon those circumstances.

Senator BIDEN. Would it be fair to say that the command authority might differ from the command authority where U.S. forces are directly in the American chain of command? I guess what we are trying to get to is this: Is it possible that we are going to have a Director General, an American, saying, "Hey, look, do not commit American military forces to a shooting engagement here," and the military commander, the Force commander, who is not an American, saying, "OK, boys, get over there; go get them." Is that possible?

Ambassador STERNER. Senator, I think it is hard to talk in detail about such a hypothesis, because in the nature of this, a great deal is going to have to be left to the good judgment of the Director General who, as you pointed out, is an American, to the commander of the Multinational Force, and finally to the commanders of the national contingents that are participating.

But if it seems to us that there is an order given by the commander in chief of the Force that strikes any of the participants as egregiously out of step with what the purpose of this agreement is or what the

purposes of the treaty are, he obviously could appeal that decision to the Director General of the Force. He also would presumably be in touch, whether he is the American contingent or one of the other national contingents, with the zone government.

That, simply, is going to be the way it works. It will be part of the chain of command mix that I think is realistic and the only way possible to run this kind of Force.

Senator BIDEN. A second point is related and may already have been asked. Is there going to be any overlap, any integration, or coordination between this Force, which will be made up not only of Americans but other undesignated countries' personnel—I repeat, between this Force and our Rapid Deployment Force?

Ambassador VELIOTES. Senator, the answer to that is a simple "No." Simple, but emphatic. As you know, President Sadat has made the decision that the Sinai will not be used for any such purpose by anyone. This agreement and our participation in the agreement will be thoroughly specific, with our commitments to President Sadat on this issue.

Senator BIDEN. Again, with regard to the personnel, do the armed services plan on supplying the military personnel for the Sinai Force from the established Armed Forces end strengths, or are we going to go out and get 1,000 new folks?

General COOLEY. We are going to take a normal battalion, probably out of our CONUS forces, out of the Forces Command, and that will be deployed over there, and the unit will be rotated.

Senator BIDEN. So it will be rotated out of our present end strength?

General COOLEY. Yes, sir; out of the present structure that we now have. Yes, sir.

FORCES ALREADY BUDGETED BY DOD

Senator BIDEN. Since these forces are already budgeted then by DOD and since the personnel obviously get beneficial training—I would hope they would—from their desert assignment, will the foreign-aid budgets be reimbursed for these basic costs from the DOD?

Ambassador STERNER. Senator, I think this came up before, in my reply, which I would be happy to repeat.

Senator BIDEN. I would be happy to read it in the record.

Ambassador STERNER. I think we did cover this earlier, Senator.

SEVERAL OTHER COUNTRIES PARTICIPATING

Senator BIDEN. I was told prior to my arrival that someone had asked what other countries are involved. I will not ask you that question, because I understand your reluctance to give an answer as to what the makeup will be.

But are you relatively confident that you will have several other countries participating?

Ambassador VELIOTES. Yes, sir.

Senator BIDEN. Are you at liberty to tell us at this point how many other countries you would expect and what the total force structure is that you are aiming for?

Ambassador STERNER. To answer the latter part of your first question, because it determines the first part of your question, we see a structure that is basic, the main elements of which are three infantry battalions.

Senator BIDEN. In total personnel, how many people is that?

Ambassador STERNER. In total personnel, the three infantry battalions are not to exceed 2,000 troops. Over and above that, you will have a coastal patrol unit to insure the provisions about the Strait of Tiran in the treaty. You will have a logistics unit, you will have an air support unit, you will have a communications unit. So if you think of it in terms of having to unplug standard units out of other armed forces and plug them into this, you have, in effect, three battalions. You have perhaps three or four additional support elements. So that kind of determines the number of participants.

You might have anywhere from five to seven participants, depending on whether certain states would pick up one or more of these functions.

Senator BIDEN. I have one other point, and maybe the general would be the best person to answer this, Of course, I ask it of you all, and anyone may respond.

We are talking about taking a battalion and assigning it to this force. Will that battalion, once assigned, then be restructured, or will it be a nonintegrated battalion that will sit over here [indicating] and the rest of the force structure be built around that [indicating]? Or will you take that battalion—roughly, how many men are we talking about, General?

General COOLEY. About 800.

MULTINATIONAL FORCE ASSIGNMENTS

Senator BIDEN. Will we take those 800 men and restructure a force that will be a multinational force with each of the elements of the force integrated? How will that work? How do you envision it working?

Ambassador STERNER. These will be national contingents under national commanders, which will be reporting to the commander in chief, who, in turn, will report to the Director General.

Senator BIDEN. That is what I assumed it was. Each of these, then, will most probably have varying assignments. There will be functional requirements that they will fill. Have you gotten down to the point—and, again, this question already may have been pursued—as to who will be responsible for what functions? In other words, the thousand or so U.S. military personnel will do something. What are they going to be doing, as you see it now?

Ambassador STERNER. I think we can respond in general terms, although I think when you get beyond a certain level of generality into specifics, you have to leave a good deal of discretion to the commander of force, who will determine who mans a given observation post or checkpoint and where it might be soldiers from the U.S. battalion or perhaps one of the other battalions.

Basically, the functions for the infantry battalions that are envisaged involve manning observation posts, and conducting patrols within zone C to determine that the provisions of the treaty are

fulfilled. In addition to that, you have certain support functions. I have mentioned, for example, the coastal patrol unit. You have a logistics function. You have to have a signals unit. Each of these can be provided by a different nationality.

Senator BIDEN. But at this point, that is not planned to be the U.S. contingent?

Ambassador STERNER. Senator, we have undertaken to perform three functions: We are providing an infantry battalion. We are also providing a logistics unit. And specifically at the request of the parties, we are providing a group of civilian observers to carry out the functions of verification in the other zones, in zones A, B, and D, on the treaty map.

Senator BIDEN. Mr. Chairman, I appreciate your indulgence. I have one last question, if I may ask it.

The CHAIRMAN. Please go ahead, Senator.

Senator BIDEN. Thank you.

PERMANENT INFRASTRUCTURE

How much permanent infrastructure will we have to build in order to maintain this force? Are we talking about use of the existing facilities or are we talking about building new housing, new airstrips, and so on? What is entailed to maintain this force? Maybe "infrastructure" is the wrong word. I do not think it is, but maybe it is. I do not know what the military word is.

Ambassador STERNER. That is a fair enough word, Senator. At any rate, I know what you mean by it.

There is a mixture of both. To a certain extent, we will be able to use existing facilities. Up north, for example, President Sadat has given permission. The two parties have agreed, in effect, that the facilities, the containment and the officers quarters and villas that are now at the Etam Air Base, that these will be made available to the Multinational Force.

Senator BIDEN. Are they presently empty?

Ambassador STERNER. No. They are occupied by Israeli defense force personnel. I want to stress here, because I think it is important to the Egyptian Government, that that airfield will be under complete Egyptian control and sovereignty, of course. But the airfield will be used in the fashion that I have indicated and also as a port of entry for the Multinational Force.

In the south there are not suitable facilities available for our battalion. So there will be a good deal of construction that has to be undertaken in order to give that battalion and perhaps also the coastal patrol unit that is down there adequate facilities.

Senator BIDEN. So to the extent that construction occurs, it is likely to occur at the very south, at the tip of the peninsula?

Ambassador STERNER. I think there has to be a good deal of construction in the north as well to make it adequate for the full force. You will have two battalions up there. You will have support units and logistics, much of the signals unit. So it is a fairly sizable force. There may have to be a considerable revamping of the facilities up there to house them, to build perhaps hanger space for helicopters and things like that.

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But I think your statement is essentially right. More of the construction will have to take place in the south.

DETERMINED THE COST

Senator BIDEN. Have we determined the cost of that? With regard to the money, to the startup costs, to reprogram the $10 million for fiscal year 1981 in order to meet startup costs and then a request for $125 million to be added to the peacekeeping operations authorities in the fiscal year 1982 bill, do those dollars include these construction costs, or is that separate?

Ambassador STERNER. No; they are included.

Senator BIDEN. So that is the total U.S. contribution then?

Ambassador STERNER. That is the total U.S. contribution. But the parties themselves will be making substantial contributions.

Senator BIDEN. I am quite sure this is understood, but I want to make no mistake, that I understand it. There really are only three countries that are going to come up with capital for this. Those are: Egypt, Israel, and the United States.

Ambassador STERNER. [Nods affirmatively.]

Senator BIDEN. Now, to the extent that other nations would participate, and you would hope there would be as many as seven—am I correct? Is that the hope, up to that many?

Ambassador STERNER. Yes.

Senator BIDEN. To the extent that they participate, are the three countries—the United States, Egypt, and Israel—underwriting their cost of participation, or are we asking them to foot the bill for their personnel, their equipment, and so on?

Ambassador STERNER. I think this will vary, Senator, in the sense that some countries will be in a position to contribute the services, we hope, of their units, at least to the extent of what it would cost them to maintain that similar contingent in their home country.

Other countries, however, some of the Third World countries that we have approached to contribute infantry battalions, for example, quite frankly cannot maintain those costs and will have to charge a greater share of it to the Multinational Force. How this will be spelled out is precisely the kind of negotiation that we hope to get into with each of these countries when they give the commitment in principle that they want to participate.

A VETO POWER

Senator BIDEN. Have either Messrs. Begin or Sadat indicated that they would want a veto power over what other forces participated? Or is that an issue?

Ambassador STERNER. The Protocol provides that the two sides would have to agree on the countries that participate. So the answer, essentially, is that either side can object. If either side objects to a country participating, it cannot come in.

POLITICAL RATIONAL/MILITARY RATIONAL

Senator BIDEN. This is my last point. It seems as though—and this I can understand and do not necessarily disagree with it—it seems as

though there is a political rational rather than a military rational for having seven countries as opposed to two other countries participating in filling out this force. Is that correct? If it is correct, what is that political rational?

Ambassador STERNER. Yes; I think that essentially is accurate. You have two considerations here. One is of military efficiency. You obviously cannot break this down to the point where you would have individual platoons or something like that contributed by a great variety of states. On the other hand, both sides have indicated that they would like this to be a truly international peacekeeping force. That is a political consideration.

Just on a practical basis, you have to go to countries and suggest that units be taken out of their armed forces that are standard military units. There is a point below which you cannot go and have these countries have self-supporting units that can be shipped over vast distances from their home base.

MAJOR EUROPEAN POWER PARTICIPATING

Senator BIDEN. Are you in a position to say whether or not we will have any major European power participating in this? Or would you rather not answer that now?

Ambassador STERNER. I would rather not specify exactly whom we are approaching about this at the present time. But there is a prospect that a European country will participate.

Senator BIDEN. I commend you in that effort. I would think it would be very important and significant if you could ascertain the support of any one of our major—that is, major in terms of military capabilities—major European allies. It is my firm conviction that our European friends are waiting with bated breath for us to finally fall on our face with regard to the Sinai and the whole Camp David agreement so that they can offer the "European solution," which I strongly believe is motivated by an understandable yet regrettable sense of fear on the part of our European friends that the oil will not be flowing if things continue along the lines they are, and less by a deep-seated foreign policy conviction and more by a lack of backbone.

And I sincerely believe that if you are able to get one of our major European allies to participate, that would go a long way to blunting that and give the Camp David Accords a continued chance of survival.

I do not have to tell any of you seasoned personnel sitting there—I do not know you, General, so I will not either compliment you or damn you by putting you in the same category with the rest of your colleagues—but they have been around this track a while, as I have on this score. And every European leader that I speak with, parliamentarian or head of state and/or foreign minister in Europe, is, at best, skeptical about Camp Daivid and, at worst, would just like to see it go away completely so that they could offer their solution, including the Palestinians and others.

So I wish you luck on your effort, and I suspect that if there is any major alteration, you would feel the same compulsion to come back and tell us about it, as you feel right now.

And I would end by saying that I think my chairman is correct in his concern, and I would hope that it is a lesson for the Senate that as we make future commitments that rise to the level of treaties, that we would have the widsom and the courage to treat them that way. We are not such an impediment to the formulation of foreign policy in this country that we should step back from our constitutional responsibility which, in my 9 years here, we have on occasion.

Thank you very much, Mr. Chairman.

Thank you, gentlemen. I appreciate the time.

The CHAIRMAN. Thank you, Senator Biden, very much indeed. We are happy to have Senator Mathias here with us.

Senator Mathias, would you care to put some questions to our witnesses?

Senator MATHIAS. Thank you, Mr. Chairman.

In Ambassador Veliotes' statement, the figures that are given are that the MFO may approach 2,500 persons, which would include about 1,000 Americans.

Ambassador VELIOTES. Yes, sir.

PRESENT OBSERVER FORCE

Senator MATHIAS. How does that compare with the present observer force?

Ambassador VELIOTES. The current Sinai field mission, there are 135 in place. These are observers.

Senator MATHIAS. Observers. Right. So it is a substantially increased American presence in the Sinai?

Ambassador VELIOTES. Yes, sir.

Senator MATHIAS. Would it be contemplated that the MFO would be based at more than one spot, as is the present observer force?

Ambassador VELIOTES. Yes, sir.

Senator MATHIAS. Are those locations known at this time?

Ambassador VELIOTES. I would like to ask Ambassador Sterner to address that question.

Ambassador STERNER. Senator, I think it is envisaged that the observers would probably be based along with the headquarters of the Multinational Force, and it is envisaged that that would be located up in the northern sector near the Etam Air Force Base.

But I think it is important to stress that the commander of the force and observers ought to have a good deal of discretion in determining how these observers are deployed in order to carry out the functions of the treaty. We think that because some of the present number in the Sinai field mission are administrative support personnel, that the number of observers under the new scheme can be fewer, something like 60 or 70 to carry out the functions that are indicated in the treaty.

QUARTERS TO BE CONSTRUCTED

Senator MATHIAS. Would you contemplate that quarters such as the observer force now occupies would have to be constructed?

Ambassador VELIOTES. There will have to be construction. Ambassador Sterner addressed this earlier, sir. And there would be a considerable amount of additional construction and some use of existing facilities. The circumstances vary.

Senator MATHIAS. I will catch up with the previous testimony on that. But the cost estimate is about $35 million for each country.

Ambassador STERNER. That is true, Senator, 4 years after the remainder of fiscal year 1981 and fiscal year 1982. During that approximately 15-month period there are very heavy construction costs involved. And a special funding arrangement has been agreed to for that in which the United States would assume 60 percent of the costs for that period and each party 20 percent each.

Senator MATHIAS. That is the period of capital investment?

Ambassador STERNER. That is right. This is the period of startup costs, of capital investment in construction. Beyond that period there would be a one-third/one-third/one-third split.

Senator MATHIAS. Of course, if we could assure peace in the Middle East for $35 million a year, that would be a bargain-basement price. I am not quibbling about the price; but I do think that it is important for the committee to have a clear understanding of the kind of financial obligation into which we are getting.

Perhaps you have already explained the startup costs, and I will not review those. I see that we would contemplate a substantial contribution for that.

Ambassador VELIOTES. [Nods affirmatively.]

Ambassador STERNER. [Nods affirmatively.]

MEETING UNDER CLOUD OF APPREHENSION

Senator MATHIAS. Again, I do not think we should quibble about the cost if it is going to go a long way toward helping resolve the conflict in the Middle East. Of course, we are meeting here today under a cloud of great apprehension about the Middle East. So perhaps this is not the best day to be discussing this subject, because this investment could be very seriously jeopardized by other events in that area.

Ambassador STERNER. Senator, permit me to comment on this, and perhaps Assistant Secretary Veliotes would wish to comment also. I think it is very important that we try to disassociate what we are doing in terms of this peacekeeping force with the events outside of the area. I see this as an essential element in the stabilizing process of putting what already has been gained in the peace process on a more secure and stable footing.

That achievement, in itself, must be the cornerstone of what we go on to build from here. But that is why it is of so much importance that we have arrangements in which the two parties that have taken the very first step toward peace and have undertaken big risks to start that process, that they have the fullest possible confidence in those arrangements.

Senator MATHIAS. I understand why you would say that we should disassociate this particular project from other events in the area. I am sympathetic with that. If it were possible for us to compartment our lives, we probably would be able to make them very much more pleasant and more manageable. But compartmentation in human events is not always possible. Other people and other forces intervene, and that is what concerns me.

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IMPACT ON OTHER NATIONS

What kind of impact on other nations in the area are the events of the last few days likely to have on the United States position in the Middle East, having in mind that in the raids on the populated areas of Beirut, American equipment has been used and there is a presumption that the United States has some sort of pipeline for information—which it may not in fact have, but it is widely assumed that we have? Where do we end up in the area?

Ambassador VELIOTES. Well, Senator Mathias, clearly the events in Lebanon have significantly raised the level of concern elsewhere in the Middle East. There can be no question about that. The concern is based on the events themselves.

From a humanitarian point of view and the perspective of the United States, that involves both sides of the border, obviously. Then again, it raises the concerns about the future viability of the peace process which is in place—I might add, the only one that is in place—the Camp David Accords.

It undoubtedly raises some concerns as to our bona fides to achieve on the other fronts in confrontation the same kind of dramatic success that we have achieved on the Egyptian-Israeli front.

For all of these reasons, however, I believe there is the reverse side, in that the instability and the threatened instability in the other areas should cast the success of peace between Israel and Egypt in an even more dramatic light. And this underscores the comments of Ambassador Sterner on the need, perhaps even more imperative in view of recent events, to insure that the Egyptian-Israeli treaty is reinforced. This is the purpose of our testimony before you today.

ACTS OF VIOLENCE AGAINST ISRAELI CIVILIANS

Senator MATHIAS. We know from news reports that there are acts of violence which are taking place against Israeli civilians.

Ambassador VELIOTES. Yes, sir.

Senator MATHIAS. Is the diplomatic reporting that comes to you reflective of any reaction in the Middle East to those civilian casualties, to the very tragic deaths that are occurring within Israel? Is that viewed in any sense as balancing, or is it simply a matter of setting one case of violence against another?

Ambassador VELIOTES. In the view of this Government, of course, it is very clear that we deplore and condemn the terrorist attacks that cause loss of life and human suffering in Israel.

I believe that the view in other parts of the Arab world—and this varies depending upon the country—but in a large part of the Arab world, the loss of life in Israel is viewed not with any joy, but as a form of inevitability due to the continuation of the unsettled situation particularly with respect to the Palestinian issue.

It is difficult, I believe, for anyone to see progress being made toward settling that problem as long as there is the kind of high level of mutual violence that we have seen across the Israeli-Lebanese border that we have in the recent days.

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EYE FOR AN EYE/TOOTH FOR A TOOTH

Senator MATHIAS. Of course, there was an ancient precept calling for mercy in Israel in biblical times, that you should not take more than an eye for an eye or you should not take more than a tooth for a tooth. It was a kind of restraint on the very human desire for vengeance after some tragic loss.

Do you have any reason to believe that this particular biblical precept is likely to be followed by the Israeli Government as far as limiting targets in civilian areas so that the losses, as in the recent Beirut raid, far exceed the original acts of criminal terrorism to which they are responding?

Ambassador VELIOTES. Senator, let me respond in the following manner. The United States understands and appreciates Israel's determination to protect itself. Indeed, over the years, this is most dramatically evident since the October war in 1973. We have across a number of administrations insured through generous support that Israel indeed would have this capability.

I understand the concerns to which your questions are addressed. And certainly, the issue of proportion is important.

Senator MATHIAS. But you have no information to give the committee now as to the intentions of the Israeli Government to limit targets?

Ambassador VELIOTES. No, sir, I do not.

EXPAND MILITARY ACTION

Senator MATHIAS. Well, let me turn the coin over to the other side. Do you have any information as to the likelihood that they might expand military action?

Ambassador VELIOTES. I have no confirmation of any such intention. There is always the possibility that the action could be expanded or reduced.

Senator MATHIAS. Well, of course, that possibility is what led me to ask my original question about whether or not the United States is making an unusually speculative investment in the Sinai? It is not because I am not, in principle, prepared to make an investment, even a risky investment, for the sake of peace. But if that investment is going to be further jeopardized by continuing or even expanding military operations in a different area, then I think we have to view the whole proposition in a more skeptical light.

Ambassador VELIOTES. Senator, as you know, the President has requested Ambassador Habib to seek to establish an early cease fire in the current circumstances.

Senator MATHIAS. Let me interrupt you to say that I have great personal confidence in Ambassador Habib, and I think if anyone can do it, he can do it. It is a hard act. But certainly, very few people have had more experience than he.

Ambassador VELIOTES. And we are hopeful this can be achieved.

Turning to the Sinai, we have every reason to believe that both Governments, Egypt and Israel, intend to carry out fully the letter as well as the spirit of the Egyptian-Israeli peace treaty. So we would find this to be a very safe investment. I would not characterize it in any way as speculative.

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ONGOING EVENTS MAKE IT MORE DIFFICULT

Senator MATHIAS. Well, I must say that I think the Egyptians have been extraordinarily steadfast, as have the Israelis, in the face of changing events in adhering to the agreements generally characterized as the Camp David process. But it does seem to me that ongoing events make it more and more difficult for other Arab nations to soften their opposition or to temper their criticism of the Camp David process. Am I wrong in that judgment?

Ambassador VELIOTES. I would agree with you, sir.

Senator MATHIAS. So if we are to get the greatest result from our investment in the MFO, events outside the Sinai are going to have to be viewed as part of the whole picture.

Ambassador VELIOTES. Yes, sir.

Senator MATHIAS. How do we get that message across?

Ambassador VELIOTES. Hopefully, our exchange today will be helpful in this respect.

Senator MATHIAS. Yes—hopefully.

The cyclopian eye up there on the wall tells us that we have a vote on the Senate floor. It is on the very substantive issue of great importance to the future of this Republic. It is on a motion to request absent Senators to come to the floor. So I suppose if I am going to vote in favor of it, I ought to go the floor. [Laughter.]

I am advised that the chairman, who has already gone to the floor, will be back in just a minute. So I would declare a 5-minute recess of this committee, by which time the chairman should be back. So the committee will now stand in recess for 5 minutes.

[Brief recess.]

The CHAIRMAN [presiding]. Because we have run into a snag on the Senate floor with the tax bill, the majority leader has asked all Senators to be down there as soon as we can to work out procedures regarding where we go from here. We may be having a filibuster.

Therefore, I will ask just a few questions and perhaps will ask you to answer some for the record.

ARE THERE ADDITIONAL EXPENSES?

On the long-term commitment we have made to provide funding for one-third of the peacekeeping force, are there additional expenses that you can anticipate that have not been mentioned today? Is this an open-ended commitment that is likely to cost more and more over the years?

Ambassador STERNER. Mr. Chairman, the figures we have given you are all-inclusive, as far as we can estimate them at the present time. They are estimates, of course. We would expect the figures to be somewhere in this ballpark, however.

As far as we can tell, there will be a rise only probably for inflation. We do not anticipate that the force would be reconstituted or expanded in a way that would lead to significant additional costs. Once the construction is completed for this size of force, that will be all that is necessary to maintain the force. Then the expenses are ones of maintaining the reimbursement to the nations that have contributed these contingencies, essentially, with supplies.

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TERMINAL DATE

The CHAIRMAN. Do you foresee some terminal point on this, taking into account that U.N. forces have been in Kashmir for decades? Is this a long-term proposition, from your standpoint, or do you think it will be, hopefully, a much shorter time?

Ambassador STERNER. It is impossible to put a terminal date on it, because the treaty does not provide for any terminal date on the security arrangements.

In talking with the parties during their negotiation, it is quite clear that neither side views these arrangements as being in perpetuity. They both feel that these arrangements, to a certain extent, are anachronistic to a condition of real peace and have commented that there are, as you look around the map of the world, countless nations living at peace with each other and doing it without the need for a peacekeeping force.

So I think it is fair to say that in the back of the minds of both sides, there is the hope that their relationship will evolve to the point where they can greatly simplify and perhaps eventually do without this kind of peacekeeping force.

The CHAIRMAN. Is there an absolute limit put on the expenditures by the two directly involved parties?

Ambassador STERNER. No; there is not.

PROPORTION OF COST

The CHAIRMAN. In other words, is that subject to negotiation? Let's say, perhaps a less wealthy country says it will provide forces but cannot pay for them and maintain them there. Is that then a subject for discussion and negotiation as to what proportion of that cost will be borne by the United States and what proportion borne by anyone else?

Ambassador STERNER. We have based the estimates that we have given you on the assumption that, in addition to the U.S. battalion which would be reimbursed in the manner I have described, there would be two battalions from the Third World for whom there probably would have to be almost complete reimbursement for the expenses of their contingents.

In the case of some of the support elements that we have mentioned, we would hope to get them from relatively well-off countries and would hope to persuade them to contribute those services with a minimum of charge to the Multinational Force.

The CHAIRMAN. Mr. Michel, did you wish to add a comment?

Mr. MICHEL. I would offer one point of clarification, Mr. Chairman. Once it is established, however, what the cost will be to the MFO in reimbursing a troop-contributing nation, then those costs are charged to the MFO budget, and the MFO budget is to be made up according to this one-third/one-third/one-third split. There is no further negotiation between the United States and the parties as to what share is picked up by any one of us.

The CHAIRMAN. In the statement that you made, Mr. Secretary, when we were talking about the parties and if they are unable to agree on certain things, you said the United States will make proposals which the parties will accept.

AGREED TO ABIDE BY AMERICAN DECISION

Have the two parties agreed in advance to abide by the American decision in case of disagreement?

Ambassador STERNER. Yes, Senator, that is correct. On the points mentioned in the letter, you will note that there is a slightly different formula given for the possibility that the composition of the force might change in some fundamental way. That is the last sentence in numbered paragraph 2, in which there is a slightly different formula where the two sides commit themselves to sitting down to resolve this issue and invite the United States to join them. That will be essentially a negotiation with our participation.

The CHAIRMAN. What is going to become the current Sinai field mission?

Ambassador STERNER. It is envisaged that the Sinai field mission, as it is presently constituted, would go out of existence. But it is quite possible that some of the personnel that are now performing these observer functions would be incorporated into the new Multinational Force and Observers.

The CHAIRMAN. What is the possibility that Americans could become involved in future Mideast conflict? That question has been touched on on one occasion this afternoon.

Ambassador VELIOTES. Do you mean in the Sinai while carrying out their peacekeeeping functions?

The CHAIRMAN. Yes. By this additional involvement of American personnel, what are the possibilities that Americans could become involved in a conflict?

Ambassador VELIOTES. Well, sir, as well you know, it is impossible to exclude anything 100 percent. But insofar as it is humanly possible to foresee into the future, we are confident that the peacekeeping force will not be faced with such a development. We are confident that both parties, Egypt and Israel, are determined to respect and implement the letter and spirit of the treaty of peace.

REACTION/ATTITUDE OF ARAB COUNTRIES

The CHAIRMAN. Finally, how have other Middle Eastern nations reacted to the creation of the Multinational Force and the stationing of American solidiers in the Sinai?

Ambassador VELIOTES. We really have not had much in the way of reaction, Mr. Chairman. We have not gone about soliciting reactions.

I believe, as far as attitudes are concerned, that there is a difference between the attitudes of many of those Arab countries that are critical of the autonomy talks and critical of Camp David in that respect, the Palestinian aspect, and their attitude toward Egypt regaining its lost territory.

Without suggesting that they endorse or support the Egyptian-Israeli treaty, I believe it is accurate to describe their attitudes as one of satisfaction that the Sinai will be recovered and that Arab land will be returned to Egypt.

The CHAIRMAN. Gentlemen, we thank you very much indeed. We appreciate your presence here today.

Ambassador VELIOTES. Thank you, Mr. Chairman.

The CHAIRMAN. Before adjourning this hearing, I would ask, without objection, that Ambassador Sterner's letter to me of today's date and its attachment concerning the exchange of notes on the continuation of aerial surveillance be included in the record at this point.

[The letter referred to follows:]

DEPARTMENT OF STATE,
Washington, D.C., July 20, 1981.

HON. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate.

Dear Mr. CHAIRMAN: In connection with the agreements to be entered into by the United States with Israel and Egypt regarding the Sinai, it has also been agreed that, subject to Congressional authorization and appropriation, the United States would continue to provide air surveillance in accordance with current practice, and that this surveillance would cover Zones A, B, C and D after final withdrawal of Israeli forces from the Sinai is completed.

So that the Congress will be fully informed, I am providing herewith the test of the separate proposed exchange of notes on this subject.

Sincerely,

MICHAEL E. STERNER,
Deputy Assistant Secretary,
Bureau of Near Eastern and South Asian Affairs.

Enclosures: Draft notes on air surveillance.

The Embassy of the United States of America in Tel Aviv presents its compliments to the Foreign Ministry and has the honor to inform it that, when final withdrawal of Israeli forces from the Sinai is completed, and subject to Congressional authorization and appropriation, the United States will provide air surveillance flights, in accordance with current practice, to cover Zone D.

A similar note concerning Zones A, B and C, was sent today by the Embassy of the United States of America in Cairo to the Foreign Ministry of Egypt. With the acceptance of these notes by the two governments, there will be an arrangement among the three States concerning the conduct of air surveillance, in accordance with current practice, over Zones A, B, C and D.

The Ministry of Foreign Affairs of Israel presents its compliments to the Embassy of the United States and has the honor to inform it that the Government of Israel agrees to the contents of your note dated ----------

The Embassy of the United States of America in Cairo presents its compliments to the Foreign Ministry and has the honor to inform it that, when final withdrawal of Israeli forces from the Sinai is completed, and subject to Congressional authorization and appropriation, the United States will continue air surveillance flights, in accordance with current practice, over Zones A, B, and C.

A similar note concerning Zone D was sent today by the Embassy of the United States of America in Tel Aviv to the Foreign Ministry of Israel. With the acceptance of these notes by the two governments, there will be an arrangement among the three States concerning the conduct of air surveillance, in accordance with current practice, over Zones A, B, C and D.

The Ministry of Foreign Affairs of Egypt presents its compliments to the Embassy of the United States and has the honor to inform it that the Government of Egypt agrees to the contents of your note dated ----------

The CHAIRMAN. This hearing is adjourned.

[Whereupon, at 5:35 p.m., the committee adjourned, subject to call of the Chair.]

APPENDIX

PROTOCOL TO THE EGYPTIAN-ISRAELI TREATY OF PEACE

In view of the fact that the Egyptian-Israeli Treaty of Peace dated March 26, 1979 (hereinafter, "the Treaty"), provides for the fulfillment of certain functions by the United Nations Forces and Observers and that the President of the Security Council indicated on 18 May 1981, that the Security Council was unable to reach the necessary agreement on the proposal to establish the UN Forces and Observers, Egypt and Israel, acting in full respect for the purposes and principles of the United Nations Charter, have reached the following agreement:

1. A Multinational Force and Observers (hereinafter, "MFO") is hereby established as an alternative to the United Nations Forces and Observers. The two parties may consider the possibility of replacing the arrangements hereby established with alternative arrangements by mutual agreement.

2. The provisions of the Treaty which relate to the establishment and functions and responsibilities of the UN Forces and Observers shall apply mutatis mutandis to the establishment and functions and responsibilities of the MFO or as provided in this Protocol.

3. The provisions of Article IV of the Treaty and the Agreed Minute thereto shall apply to the MFO. In accordance with paragraph 2 of this Protocol, the words "through the procedures indicated in paragraph 4 of Article IV and the Agreed Minute thereto" shall be substituted for "by the Security Council of the United Nations with the affirmative vote of the five permanent members" in paragraph 2 of Article IV of the Treaty.

4. The Parties shall agree on the nations from which the MFO will be drawn.

5. The mission of the MFO shall be to undertake the functions and responsibilities stipulated in the Treaty for the United Nations Forces and Observers. Details relating to the international nature, size, structure and operation of the MFO are set out in the attached Annex.

6. The Parties shall appoint a Director-General who shall be responsible for the direction of the MFO. The Director-General shall, subject to the approval of the Parties, appoint a Commander, who shall be responsible for the daily command of the MFO. Details relating to the Director-General and the Commander are set out in the attached Annex.

7. The expenses of the MFO which are not covered by other sources shall be borne equally by the Parties.

8. Disputes arising from the interpretation and application of this Protocol shall be resolved according to Article VII of the Treaty.

9. This Protocol shall enter into force when each Party has notified the other that all its Constitutional requirements have been fulfilled. The attached Annex shall be regarded as in integral part thereof. This Protocol shall be communicated to the Secretary General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

For the Government of the Arab Republic of Egypt:

T. SH.

For the Government of the State of Israel:

D. K.

Witnessed by:

(For the Government of the United States of America).

ANNEX

DIRECTOR-GENERAL

1. The Parties shall appoint a Director-General of the MFO within one month of the signing of this Protocol. The Director-General shall serve a term of four

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years, which may be renewed. The Parties may replace the Director-General prior to the expiration of his term.

2. The Director-General shall be responsible for the direction of the MFO in the fulfillment of its functions and in this respect is authorized to act on behalf of the MFO. In accordance with local laws and regulations and the privileges and immunities of the MFO, the Director-General is authorized to engage an adequate staff, to institute legal proceedings, to contract, to acquire and dispose of property, and to take those other actions necessary and proper for the fulfillment of his responsibilities. The MFO shall not own immovable property in the territory of either Party without the agreement of the respective government. The Director-General shall determine the location of his office, subject to the consent of the country in which the office will be located.

3. Subject to the authorization of the Parties, the Director-General shall request those nations agreeable to the Parties to supply contingents to the MFO and to receive the agreement of contributing nations that the contingents will conduct themselves in accordance with the terms of this Protocol. The Director-General shall impress upon contributing nations the importance of continuity of service in units with the MFO so that the Commander may be in a position to plan his operations with knowledge of what units will be available. The Director-General shall obtain the agreement of contributing nations that the national contingents shall not be withdrawn without adequate prior notification to the Director-General.

4. The Director-General shall report to the Parties on developments relating to the functioning of the MFO. He may raise with either or both Parties, as appropriate, any matter concerning the functioning of the MFO. For this purpose, Egypt and Israel shall designate senior responsible officials as agreed points of contact for the Director-General. In the event that either Party or the Director-General requests a meeting, it will be convened in the location determined by the Director-General within 48 hours. Access across the international boundary shall only be permitted through entry checkpoints designated by each Party. Such access will be in accordance with the laws and regulations of each country. Adequate procedures will be established by each Party to facilitate such entries.

MILITARY COMMAND STRUCTURE

5. In accordance with paragraph 6 of the Protocol, the Director-General shall appoint a Commander of the MFO within one month of the appointment of the Director-General. The Commander will be an officer of general rank and shall serve a term of three years which may, with the approval of the Parties, be renewed or curtailed. He shall not be of the same nationality as the Director-General.

6. Subject to paragraph 2 of this Annex, the Commander shall have full command authority over the MFO, and shall promulgate its Standing Operating Procedures. In making the command arrangements stipulated in paragraph 9 of Article VI of Annex I of the Treaty (hereinafter "Annex I"), the Commander shall establish a chain of command for the MFO linked to the commanders of the national contingents made available by contributing nations. The members of the MFO, although remaining in their national service, are, during the period of their assignment to the MFO, under the Director-General and subject to the authority of the Commander through the chain of command.

7. The Commander shall also have general responsibility for the good order of the MFO. Responsibility for disciplinary action in national contingents provided for the MFO rests with the commanders of the national contingents.

FUNCTIONS AND RESPONSIBILITIES OF THE MFO

8. The mission of the MFO shall be to undertake the functions and responsibilities stipulated in the Treaty for the United Nations Forces and Observers.

9. The MFO shall supervise the implementation of Annex I and employ its best efforts to prevent any violation of its terms.

10. With respect to the MFO, as appropriate, the Parties agree to the following arrangements:

(a) Operation of checkpoints, reconnaissance patrols, and observation posts along the international boundary and Line B, and within Zone C.

(b) Periodic verification of the implementation of the provisions of Annex I will be carried out not less than twice a month unless otherwise agreed by the Parties.

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(c) Additional verifications within 48 hours after the receipt of a request from either Party.

(d) Ensuring the freedom of navigation through the Strait of Tiran in accordance with Article V of the Treaty of Peace.

11. When a violation has been confirmed by the MFO, it shall be rectified by the respective Party within 48 hours. The Party shall notify the MFO of the rectification.

12. The operations of the MFO shall not be construed as substituting for the undertakings by the Parties described in paragraph 2 of Article III of the Treaty. MFO personnel will report such acts by individuals as described in that paragraph in the first instance to the police of the respective Party.

13. Pursuant to paragraph 2 of Article II of Annex I, and in accordance with paragraph 7 of Article VI of Annex I, at the checkpoints at the international boundary, normal border crossing functions, such as passport inspection and customs control, will be carried out by officials of the respective Party.

14. The MFO operating in the Zones will enjoy freedom of movement necessary for the performance of its tasks.

15. MFO support flights to Egypt or Israel will follow normal rules and procedures for international flights. Egypt and Israel will undertake to facilitate clearances for such flights.

16. Verification flights by MFO aircraft in the Zones will be cleared with the authorities of the respective Party, in accordance with procedures to ensure that the flights can be undertaken in a timely manner.

17. MFO aircraft will not cross the international boundary without prior notification and clearance by each of the Parties.

18. MFO reconnaissance aircraft operating in Zone C will provide notification to the civil air control center and, thereby, to the Egyptian liaison officer therein.

SIZE AND ORGANIZATION

19. The MFO shall consist of a headquarters, three infantry battalions totalling not more than 2,000 troops, a coastal patrol unit and an observer unit, an aviation element and logistics and signal units.

20. The MFO units will have standard armament and equipment appropriate to their peacekeeping mission as stipulated in this Annex.

21. The MFO headquarters will be organized to fulfill its duties in accordance with the Treaty and this Annex. It shall be manned by staff-trained officers of appropriate rank provided by the troop contributing nations as part of their national contingents. Its organization will be determined by the Commander, who will assign staff positions to each contributor on an equitable basis.

REPORTS

22. The Commander will report findings simultaneously to the Parties as soon as possible, but not later than 24 hours, after a verification or after a violation has been confirmed. The Commander will also provide the Parties simultaneously a monthly report summarizing the findings of the checkpoints, observation posts, and reconnaissance patrols.

23. Reporting formats will be worked out by the Commander with the Parties in the Joint Commission. Reports to the Parties will be transmitted to the liaison offices to be established in accordance with paragraph 31 below.

FINANCING, ADMINISTRATION AND FACILITIES

24. The budget for each financial year shall be prepared by the Director-General and shall be approved by the Parties. The financial year shall be from October 1 through September 30. Contributions shall be paid in U.S. dollars, unless the Director-General requests contributions in some other form. Contributions shall be committed the first day of the financial year and made available as the Director-General determines necessary to meet expenditures of the MFO.

25. For the period prior to October 1, 1981, the budget of the MFO shall consist of such sums as the Director-General shall receive. Any contributions during that period will be credited to the share of the budget of the contributing state in Financial Year 1982, and thereafter as necessary, so that the contribution is fully credited.

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26. The Director-General shall prepare financial and administrative regulations consistent with this Protocol and submit them no later than December 1, 1981, for the approval of the Parties. These financial regulations shall include a budgetary process which takes into account the budgetary cycles of the contributing states.

27. The Commander shall request the approval of the respective Party for the use of facilities on its territory necessary for the proper functioning of the MFO. In this connection, the respective Party, after giving its approval for the use by the MFO of land or existing buildings and their fixtures, will not be reimbursed by the MFO for such use.

RESPONSIBILITIES OF THE JOINT COMMISSION PRIOR TO ITS DISSOLUTION

28. In accordance with Article IV of the Appendix to Annex I, the Joint Commission will supervise the implementation of the arrangements described in Annex I and its Appendix, as indicated in subparagraphs b, c, h, i and j of paragraph 3 of Article IV.

29. The Joint Commission will implement the preparations required to enable the Liaison System to undertake its responsibilities in accordance with Article VII of Annex I.

30. The Joint Commission will determine the modalities and procedures for the implementation of Phase Two, as described in paragraph 3(b) of Article I of Annex I, based on the modalities and procedures that were implemented in Phase One.

LIAISON SYSTEM

31. The Liaison System will undertake the responsibilities indicated in paragraph 1 of Article VII of Annex I, and may discuss any other matters which the Parties by agreement may place before it. Meetings will be held at least once a month. In the event that either Party or the Commander requests a special meeting, it will be convened within 24 hours. The first meeting will be held in El-Arish not later than two weeks after the MFO assumes its functions. Meetings will alternate between El-Arish and Beer Sheba, unless the Parties otherwise agree. The Commander shall be invited to any meeting in which subjects concerning the MFO are discussed, or when either Party requests MFO presence. Decisions will be reached by agreement of Egypt and Israel.

32. The Commander and each chief liaison officer will have access to one another in their respective offices. Adequate procedures will be worked out between the Parties with a view to facilitating the entry for this purpose of the representatives of either Party to the territory of the other.

PRIVILEGES AND IMMUNITIES

33. Each Party will accord to the MFO the privileges and immunities indicated in the attached Appendix.

SCHEDULE

34. The MFO shall assume its functions at 1300 hours on April 25, 1982.

35. The MFO shall be in place by 1300 hours, on March 20, 1982.

APPENDIX

DEFINITIONS

1. The "Multinational Force and Observers" (hereinafter referred to as "the MFO") is that organization established by the Protocol.

2. For the purposes of this Appendix, the term "Member of the MFO" refers to the Director-General, the Commander and any person, other than a resident of the Receiving State, belonging to the military contingent of a Participating State or otherwise under the authority of the Director-General, and his spouse and minor children, as appropriate.

3. The "Receiving State" means the authorities of Egypt or Israel as appropriate, and the territories under their control. "Government authorities" includes all national and local, civil and military authorities called upon to perform functions relating to the MFO under the provisions of this Appendix, without prejudice to the ultimate responsibility of the Government of the Receiving State.

4. "Resident of the Receiving State" includes (a) a person with citizenship of the Receiving State, (b) a person resident therein or (c) a person present in the territory of the Receiving State other than a member of the MFO.

5. "Participating State" means a State that contributes personnel to the MFO.

DUTIES OF THE MEMBERS OF THE MFO IN THE RECEIVING STATE

6. (a) Members of the MFO shall respect the laws and regulations of the Receiving State and shall refrain from any activity of a political character in the Receiving State and from any action incompatible with the international nature of their duties or inconsistent with the spirit of the present arrangements. The Director-General shall take all appropriate measures to ensure the observance of these obligations.

(b) In the performance of their duties for the MFO, members of the MFO shall receive their instructions only from the Director-General and the chain of command designated by him.

(c) Members of the MFO shall exercise the utmost discretion in regard to all matters relating to their duties and functions. They shall not communicate to any person any information known to them by reason of their position with the MFO which has not been made public, except in the course of their duties or by authorization of the Director-General. These obligations do not cease upon the termination of their assignment with the MFO.

(d) The Director-General will ensure that in the Standing Operating Procedures of the MFO, there will be arrangements to avoid accidental or inadvertant threats to the safety of MFO members.

ENTRY AND EXIT: IDENTIFICATION

7. Individual or collective passports shall be issued by the Participating States for members of the MFO. The Director-General shall notify the Receiving State of the names and scheduled time of arrival of MFO members, and other necessary information. The Receiving State shall issue an individual or collective multiple entry visa as appropriate prior to that travel. No other documents shall be required for a member of the MFO to enter or leave the Receiving State. Members of the MFO shall be exempt from immigration inspection and restrictions on entering or departing from the territory of the Receiving State. They shall also be exempt from any regulations governing the residence of aliens in the Receiving State, including registration, but shall not be considered as acquiring any right to permanent residence or domicile in the Receiving State. The Receiving State shall also provide each member of the Force with a personal identity card prior to or upon his arrival.

8. Members of the MFO will at all times carry their personal identity cards issued by the Receiving State. Members of the MFO may be required to present, but not to surrender, their passport or identity cards upon demand of an appropriate authority of the Receiving State. Except as provided in paragraph 7 of this Appendix, the passport or identity card will be the only document required for a member of the MFO.

9. If a member of the MFO leaves the services of the Participating State to which he belongs and is not repatriated, the Director-General shall immediately inform the authorities of the Receiving State, giving such particulars as may be required. The Director-General shall similarly inform the authorities of the Receiving State of any member of the MFO who has absented himself for more than twenty-one days. If an expulsion order against the ex-member of the MFO has been made, the Director-General shall be responsible for ensuring that the person concerned shall be received within the territory of the Participating State concerned.

JURISDICTION

10. The following arrangements respecting criminal and civil jurisdiction are made having regard to the special functions of the MFO and not for the personal benefit of the members of the MFO. The Director-General shall cooperate at all times with the appropriate authorities of the Receiving State to facilitate the proper administration of justice, secure the observance of laws and regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Appendix.

CRIMINAL JURISDICTION

11. (a) Military members of the MFO and members of the civilian observer group of the MFO shall be subject to the exclusive jurisdiction of their respective national states in respect of any criminal offenses which may be committed by them in the Receiving State. Any such person who is charged with the commission of a crime will be brought to trial by the respective Participating State, in accordance with its laws.

(b) Subject to paragraph 25, other members of the MFO shall be immune from the criminal jurisdiction of the Receiving State in respect of words spoken or written and all acts performed by them in their official capacity.

(c) The Director-General shall obtain the assurances of each Participating State that it will be prepared to take the necessary measures to assure proper discipline of its personnel and to exercise jurisdiction with respect to any crime or offense which might be committed by its personnel. The Director-General shall comply with requests of the Receiving State for the withdrawal from its territory of any member of the MFO who violates its laws, regulations, customs or traditions. The Director-General, with the consent of the Participating State, may waive the immunity of a member of the MFO.

(d) Without prejudice to the foregoing, a Participating State may enter into a supplementary arrangement with the Receiving State to limit or waive the immunities of its members of the MFO who are on periods of leave while in the Receiving State.

CIVIL JURISDICTION

12. (a) Members of the MFO shall not be subject to the civil jurisdiction of the courts of the Receiving State or to other legal process in any matter relating to their official duties. In a case arising from a matter relating to official duties and which involves a member of the MFO and a resident of the Receiving State, and in other disputes as agreed, the procedure provided in paragraph 38(b) of this Appendix shall apply to the settlement.

(b) If the Director-General certifies that a member of the MFO is unable because of official duties or authorized absence to protect his interests in a civil proceeding in which he is a participant, the court or authority shall at his request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of the MFO which is certified by the Director-General to be needed by him for the fulfillment of his official duties shall be free from seizure for the satisfaction of a judgment, decision or order, together with other property not subject thereto under the law of the Receiving State. The personal liberty of a member of the MFO shall not be restricted by a court or other authority of the Receiving State in a civil proceeding, whether to enforce a judgment, decision or order, to compel an oath of disclosure, or for any other reason.

(c) In the cases provided for in sub-paragraph (b) above, the claimant may elect to have his claim dealt with in accordance with the procedure set out in paragraph 38(b) of this Appendix. Where a claim adjudicated or an award made in favor of the claimant by a court of the Receiving State or the Claims Commission under paragraph 38(b) of this Appendix has not been satisfied, the authorities of the Receiving State may, without prejudice to the claimant's rights, seek the good offices of the Director-General to obtain satisfaction.

NOTIFICATION: CERTIFICATION

13. If any civil proceeding is instituted against a member of the MFO, before any court of the Receiving State having jurisdiction, notification shall be given to the Director-General. The Director-General shall certify to the court whether or not the proceeding is related to the official duties of such member.

MILITARY POLICE: ARREST: TRANSFER OF CUSTODY AND MUTUAL ASSISTANCE

14. The Director-General shall take all appropriate measures to ensure maintenance of discipline and good order among members of the MFO. To this end military police designated by the Director-General shall police the premises referred to in paragraph 19 of this Appendix, and such areas where the MFO is functioning.

15. The military police of the MFO shall immediately transfer to the civilian police of the Receiving State any individual, who is not a member of the MFO, of whom it takes temporary custody.

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16. The police of the Receiving State shall immediately transfer to the MFO any member of the MFO, of whom it takes temporary custody, pending a determination concerning jurisdiction.

17. The Director-General and the authorities of the Receiving State shall assist each other concerning all offenses in respect of which either or both have an interest, including the production of witnesses, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over, of things connected with an offense. The handing over of any such things may be made subject to their return within the time specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 15 and 16 of this Appendix.

18. The government of the Receiving State will ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to the MFO or its members which, if committed in relation to the forces of the Receiving State or their members, would have rendered them liable to prosecution. The Director-General will take the measures within his power with respect to crimes or offenses committed against citizens of the Receiving State by members of the MFO.

PREMISES OF THE MFO

19. Without prejudice to the fact that all the premises of the MFO remain the territory of the Receiving State, they shall be inviolable and subject to the exclusive control and authority of the Director-General, who alone may consent to the entry of officials to perform duties on such premises.

MFO FLAG

20. The Receiving States permit the MFO to display a special flag or insignia, of a design agreed upon by them, on its headquarters, camps, posts, or other premises, vehicles, boats and otherwise as decided by the Director-General. Other flags or pennants may be displayed only in exceptional cases and in accordance with conditions prescribed by the Director-General. Sympathetic consideration will be given to observations or requests of the authorities of the Receiving State concerning this last-mentioned matter. If the MFO flag or other flag is flown, the flag of the Receiving State shall be flown alongside it.

UNIFORM: VEHICLE, BOATS AND AIRCRAFT MARKINGS AND REGISTRATION OPERATING PERMITS

21. Military members of the MFO shall normally wear their national uniform with such identifying MFO insignia as the Director-General may prescribe. The conditions on which the wearing of civilian dress is authorized shall be notified by the Director-General to the authorities of the Receiving State and sympathetic consideration will be given to observations or requests of the authorities of the Receiving State concerning this matter. Members of the MFO shall wear civilian dress while outside the areas where they are functioning. Service vehicles, boats and aircraft shall not carry the marks or license plates of any Participating State, but shall carry the distinctive MFO identification mark and license which shall be notified by the Director-General to the authorities of the Receiving State. Such vehicles, boats and aircraft shall not be subject to registration and licensing under the laws and regulations of the Receiving State. Authorities of the Receiving State shall accept as valid, without a test or fee, a permit or license for the operation of service vehicles, boats and aircraft issued by the Director-General. MFO drivers shall be given permits by the Receiving State to enable them to drive outside the areas where they are functioning, if these permits are required by the Receiving State.

ARMS

22. Members of the MFO who are off-duty shall not carry arms while outside the areas where they are functioning.

PRIVILEGES AND IMMUNITIES OF THE MFO

23. The MFO shall enjoy the status, privileges and immunities accorded in Article II of the Convention on the Privileges and Immunities of the United Nations (hereinafter, "the Convention"). The provisions of Article II of the Con-

vention shall also apply to the property, funds and assets of Participating States used in the Receiving State in connection with the activities of the MFO. Such Participating States may not acquire immovable property in the Receiving State without agreement of the government of the Receiving State. The government of the Receiving State recognizes that the right of the MFO to import free of duty equipment for the MFO and provisions, supplies and other goods for the exclusive use of members of the MFO, includes the right of the MFO to establish, maintain and operate at headquarters, camps and posts, service institutes providing amenities for the members of the MFO. The amenities that may be provided by service institutes shall be goods of a consumable nature (tobacco and tobacco products, beer, etc.), and other customary articles of small value. To the end that duty-free importation for the MFO may be effected with the least possible delay, having regard to the interests of the government of the Receiving State, a mutually satisfactory procedure, including documentation, shall be arranged between the Director-General and the customs authorities of the Receiving State. The Director-General shall take all necessary measures to prevent any abuse of the exemption and to prevent the sale or resale of such goods to persons other than the members of the MFO. Sympathetic consideration shall be given by the Director-General to observations or requests of the authorities of the Receiving State concerning the operation of service institutes.

PRIVILEGES AND IMMUNITIES AND DELEGATION OF AUTHORITY OF DIRECTOR-GENERAL

24. The Director-General of the MFO may delegate his powers to other members of the MFO.

25. The Director-General, his deputy, the Commander, and his deputy, shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys in accordance with international law.

MEMBERS OF THE MFO: TAXATION, CUSTOMS AND FISCAL REGULATIONS

26. Members of the MFO shall be exempt from taxation by the Receiving State on the pay and emoluments received from their national governments or from the MFO. They shall also be exempt from all other direct taxes, fees, and charges, except for those levied for services rendered.

27. Members of the MFO shall have the right to import free of duty their personal effects in connection with their first taking up their post in the Receiving State. They shall be subject to the laws and regulations of the Receiving State governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in the Receiving State with the MFO. Special facilities for entry or exit shall be granted by the immigration, customs and fiscal authorities of the Receiving State to regularly constituted units of the MFO provided that the authorities concerned have been duly notified sufficiently in advance. Members of the MFO on departure from the area may, notwithstanding the foreign exchange regulations, take with them such funds as the Director-General certifies were received in pay and emoluments from their respective national governments or from the MFO and are a reasonable residue thereof. Special arrangements between the Director-General and the authorities of the Receiving State shall be made for the implementation of the foregoing provisions in the interests of the government of the Receiving State and members of the MFO.

28. The Director-General will cooperate with the customs and fiscal authorities of the Receiving State and will render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of the Receiving State by the members of the MFO in accordance with this Appendix or any relevant supplemental arrangements.

COMMUNICATIONS AND POSTAL SERVICES

29. The MFO shall enjoy the facilities in respect to communications provided for in Article III of the Convention. The Director-General shall have authority to install and operate communications systems as are necessary to perform its functions subject to the provisions of Article 35 of the International Telecommunication Convention of April 11, 1973, relating to harmful interference. The frequencies on which any such station may be operated with be duly communicated

by the MFO to the appropriate authorities of the Receiving State. Appropriate consultations will be held between the MFO and the authorities of the Receiving State to avoid harmful interference. The right of the Director-General is likewise recognized to enjoy the priorities of government telegrams and telephone calls as provided for the United Nations in Article 39 and Annex 3 of the latter Convention and in Article 5, No. 10 of the telegraph regulations annexed thereto.

30. The MFO shall also enjoy, within the areas where it is functioning, the right of unrestricted communication by radio, telephone, telegraph or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of the MFO, including the laying of cables and land lines and the establishment of fixed and mobile radio sending and receiving stations. It is understood that the telegraph and telephone cables and lines herein referred to will be situated within or directly between the premises of the MFO and the areas where it is functioning, and that connection with the system of telegraphs and telephones of the Receiving State will be made in accordance with arrangements with the appropriate authorities of the Receiving State.

31. The government of the Receiving State recognizes the right of the MFO to make arrangements through its own facilities for the processing and transport of private facilities for the processing and transport of private mail addressed to or emanating from members of the MFO. The government of the Receiving State will be informed of the nature of such arrangements. No interference shall take place with, and no censorship shall be applied to, the mail of the MFO by the government of the Receiving State. In the event that postal arrangements applying to private mail of members of the MFO are extended to operations involving transfer of currency, or transport of packages or parcels from the Receiving State, the conditions under which such operations shall be conducted in the Receiving State will be agreed upon between the government of the Receiving State and the Director-General.

MOTOR VEHICLE INSURANCE

32. The MFO will take necessary arrangements to ensure that all MFO motor vehicles shall be covered by third party liability insurance in accordance with the laws and regulations of the Receiving State.

USE OF ROADS, WATERWAYS, PORT FACILITIES, AIRFIELDS AND RAILWAYS

33. When the MFO uses roads, bridges, port facilities and airfields it shall not be subject to payment of dues, tolls or charges either by way of registration or otherwise, in the areas where it is functioning and the normal points of access, except for charges that are related directly to services rendered. The authorities of the Receiving State, subject to special arrangements, will give the most favorable consideration to requests for the grant to members of the MFO of traveling facilities on its railways and of concessions with regard to fares.

WATER, ELECTRICITY AND OTHER PUBLIC UTILITIES

34. The MFO shall have the right to the use of water, electricity and other public utilities at rates not less favorable to the MFO than those to comparable consumers. The authorities of the Receiving State will, upon the request of the Director-General, assist the MFO in obtaining water, electricity and other utilities required, and in the case of interruption or threatened interruption of service will give the same priority to the needs of the MFO as to essential government services. The MFO shall have the right where necessary to generate, within the premises of the MFO either on land or water, electricity for the use of the MFO and to transmit and distribute such electricity as required by the MFO.

CURRENCY OF THE RECEIVING STATE

35. The Government of the Receiving State will, if requested by the Director-General, make available to the MFO, against reimbursement in U.S. dollars or other currency mutually acceptable, currency of the Receiving State required for the use of the MFO, including the pay of the members of the natioual contingents, at the rate of exchange most favorable to the MFO that is officially recognized by the government of the Receiving State.

PROVISIONS, SUPPLIES AND SERVICES

36. The authorities of the Receiving State will, upon the request of the Director-General, assist the MFO in obtaining equipment, provisions, supplies and other goods and services required from local sources for its subsistence and operation. Sympathetic consideration will be given by the Director-General in purchases on the local market to requests or observations of the authorities of the Receiving State in order to avoid any adverse effect on the local economy. Members of the MFO may purchase locally goods necessary for their own consumption, and such services as they need, under conditions prevailing in the open market.

If members of the MFO should require medical or dental facilities beyond those available within the MFO, arrangements shall be made with the appropriate authorities of the Receiving State under which such facilities may be made available. The Director-General and the appropriate local authorities will cooperate with respect to sanitary services. The Director-General and the authorities of the Receiving State shall extend to each other the fullest cooperation in matters concerning health, particularly with respect to the control of communicable diseases in accordance with international conventions; such cooperation shall extend to the exchange of relevant information and statistics.

LOCALLY RECRUITED PERSONNEL

37. The MFO may recruit locally such personnel as required. The authorities of the Receiving State will, upon the request of the Director-General, assist the MFO in the recruitment of such personnel. Sympathetic consideration will be given by the Director-General in the recruitment of local personnel to requests or observations of authorities of the Receiving State in order to avoid any adverse effect on the local economy. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Director-General and shall generally, to the extent practicable, be no less favorable than the practice prevailing in the Receiving State.

SETTLEMENT OF DISPUTES OR CLAIMS

38. Disputes or claims of a private law character shall be settled in accordance with the following provisions:

(a) The MFO shall make provisions for the appropriate modes of settlement of disputes or claims arising out of contract or other disputes or claims of a private law character to which the MFO is a party other than those covered in subparagraph (b) and paragraph 39 following. When no such provisions have been made with the contracting party, such claims shall be settled according to subparagraph (b) below.

(b) Any claim made by:

(i) a resident of the Receiving State against the MFO or a member thereof, in respect of any damages alleged to result from an act or omission of such member of the MFO relating to his official duties;

(ii) the Government of the Receiving State against a member of the MFO;

(iii) the MFO or the Government of the Receiving State against one another, that is not covered by paragraph 40 of this Appendix;

shall be settled by a Claims Commission established for that purpose. One member of the Commission shall be appointed by the Director-General, one member by the Government of the Receiving State and a Chairman jointly by the two. If the Director-General and the Government of the Receiving State fail to agree on the appointment of a chairman, the two members selected by them shall select a chairman from the list of the Permanent Court of Arbitration. An award made by the Claims Commission against the MFO or a member or other employee thereof or against the Government of the Receiving State shall be notified to the Director-General or the authorities of the Receiving State as the case may be, to make satisfaction thereof.

39. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by administrative procedure to be established by the Director-General.

40. All disputes between the MFO and the Government of the Receiving State concerning the interpretation or application of this Appendix which are

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not settled by negotiation or other agreed mode of settlement shall be referred for final settlement to a tribunal of three arbitrators, one to be named by the Director-General, one by the Government of the Receiving State, and an umpire to be chosen jointly who shall preside over the proceedings of this tribunal.

41. If the two parties fail to agree on the appointment of the umpire within one month of the proposal of arbitration by one of the parties, the two members selected by them shall select a chairman from the list of the Permanent Court of Arbitration. Should a vacancy occur for any reason, the vacancy shall be filled within thirty days by the methods laid down in this paragraph for the original appointment. The tribunal shall come into existence upon the appointment of the chairman and at least one of the other members of the tribunal. Two members of the tribunal shall constitute a quorum for the performance of its functions, and for all deliberations and decisions of the tribunal a favorable vote of two members shall be sufficient.

DECEASED MEMBERS: DISPOSITION OF PERSONAL PROPERTY

42. The Director-General shall have the right to take charge of and dispose of the body of a member of the MFO who dies in the territory of the Receiving State and may dispose of his personal property after the debts of the deceased person incurred in the territory of the Receiving State and owing to residents of the Receiving State have been settled.

SUPPLEMENTAL ARRANGEMENTS

43. Supplemental details for the carrying out of this Appendix shall be made as required between the Director-General and appropriate authorities designated by the Government of the Receiving State.

EFFECTIVE DATE AND DURATION

44. This Appendix shall take effect from the date of the entry into force of the Protocol and shall remain in force for the duration of the Protocol. The provisions of paragraphs 38, 39, 40 and 41 of this Appendix, relating to the settlement of disputes, however, shall remain in force until all claims arising prior to the date of termination of this Appendix and submitted prior to or within three months following the date of termination, have been settled.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., September 9, 1981.

Subject: U.S. Role in Sinai Important to Mideast Peace (ID-81-62).

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: As you requested in your letter of August 12, 1981, we are reporting the results of our review of the U.S. peacekeeping role in the Sinai. This report summarizes U.S. involvement and presents some of the issues the Congress will want to consider in the establishment of the new multinational peacekeeping force.

The United States has played a leading role in preserving the peace in the Sinai (the strategic peninsula directly adjacent to Israel's western border) since the 1973 war between Egypt and Israel. Through U.S. "shuttle diplomacy," Egyptian and Israeli forces were separated with buffer zones between them. Then in 1976, the United States established a civilian tactical early warning system in the strategic mountain passes of the Sinai to monitor adherence to the terms of the Sinai agreements. The United States, as a result of the current peace treaty between Israel and Egypt, will deploy armed forces in the Sinai as part of a multinational peacekeeping force to supervise implementation of the treaty. This deepening U.S. involvement in the Sinai is crucial to the peace process, but also raises serious issues for congressional consideration.

SINAI FIELD MISSION HELPED ASSURE PEACE FOR 5 YEARS

The U.S. Sinai Field Mission, established in 1976 under the Sinai II Disengagement Agreement between Israel and Egypt has been an unqualified success.

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Although its role has changed from the operation of a tactical electronic early warning station to the conduct of periodic verification inspections in 1980, it has earned the respect of both the Israelis and the Egyptians. This support is evidenced by the request of both parties for a civilian observer force to be made a part of the soon-to-be-established multinational peacekeeping force.

Following the 1973 Mideast war, an initial disengagement agreement (Sinai I) was concluded on January 18, 1974, between Israel and Egypt. U.S. Secretary of State Henry Kissinger, in early 1975, began his intensive diplomatic effort to achieve a second agreement which would sustain a more far-reaching armistice. This effort culminated in the signing of the Sinai II agreement on September 1, 1975. Sinai II broadened the narrow buffer zone established under Sinai I to include the strategic Giddi and Mitla Passes.

During the course of the Sinai II negotiations it became clear that both sides desired an explicit American presence in the Sinai as a precondition for signing the agreement. At the request of both parties, the United States agreed to build a tactical early warning station in the Giddi and the Mitla Passes to be manned entirely by American civilians. The Congress authorized this activity on October 13, 1975, with passage of Public Law 94-110. On January 13, 1976, Executive Order 11896 established the U.S. Sinai Support Mission and its operating arm, the U.S. Sinai Field Mission (SFM). The field mission became fully operational on February 22, 1976.[1] The basic duties of the SFM were to report any movements of armed forces into the strategic Giddi and Mitla Passes or any preparation for such movement and to verify the nature of operations of Israeli and Egyptian electronic surveillance stations in the buffer zone.

At the height of its surveillance activities, the SFM employed about 175 American civilians to operate and maintain the system, which included unattended electronic sensor fields, manned watch stations, and a modern "Base Camp" overlooking the western approaches to the Giddi Pass. The total area monitored by the SFM from 1976 until January 25, 1980, covered about 240 square miles, and during this period SFM reported 90 violations of the Peace Agreement—most of them minor in nature and quickly corrected.

As a result of the March 1979 peace treaty between Isreal and Egypt and Executive Order 12150 of July 23, 1979, the role of the SFM was extended through January 1980. During trilateral talks between the United States, Israel, and Egypt in September 1979, the United States agreed to verify force levels and armaments in Zones A and B in the Sinai and at four Israeli technical installations (known as "T" sites) in the interim buffer zone. The map in enclosure I compares this new mission to the more limited area of responsibility in the original SFM mandate. The SFM was given the responsibility of operating the new verification system until April 25, 1982, when, under the term of the Peace Treaty, Israel will complete its scheduled withdrawal from the Sinai. This new role expanded the SFM's area of responsibility from the restricted 240 square miles of the original electronic early warning station, which was deactivated in February 1980, to two-thirds of the entire Sinai or over 15,600 square miles.

To carry out this mandate to change from a relatively static observation system to a highly mobile inspection and verification role, three helicopters were leased and stationed at a small airstrip adjacent to the SFM. Although the SFM's geographic area of responsibility increased dramatically in this new role, it required fewer personnel—only 137 personnel were assigned to the Field Mission as of February 1981. From its inception in 1976 through its projected phase-out in April 1982, the total cost of the Sinai peacekeeping operation will be about $103 million.

MULTINATIONAL MILITARY FORCE NOW BEING ESTABLISHED

The establishment of the Multinational Force and Observers (MFO), marks the first time U.S. military units have beeen introduced into the peace process. The expected costs to the United States will greatly exceed that incurred in the operation of the SFM. According to U.S. side letters to the Protocol establishing the MFO, the U.S. contribution will be at least $170 million over the first 2½ years. Legislation to authorize U.S. participation in the MFO is currently being considered by the Congress.

[1] For details of the events surrounding the establishment of the SFM see our report entitled "An Evaluation of the U.S. Early Warning System in the Sinai" (ID-77-11, June 6, 1977).

The March 1979 Treaty of Peace between Israel and Egypt calls for a peacekeeping force and observers to monitor the parties' compliance with the treaty terms and to perform specified functions designed to enhance the mutual confidence of the Parties. The Treaty calls for this mission to be carried out by the United Nations (UN). However, if the UN cannot perform this mission, then the United States, in separate letters to each of the parties, guaranteed that "the President will be prepared to take those steps necessary to ensure the establishment and maintenance of an acceptable alternative multinational force." Under the specter of an expected Soviet veto of a UN force, the President of the Security Council reported on May 18, 1981, that the members of the Council were unable to reach an agreement which would authorize a force and observers as envisioned in the treaty. This shifted the responsibility for the creation of a force acceptable to both parties to the United States.

From March through July 1981, the United States, Egypt, and Israel negotiated a Protocol establishing the multinational force which was signed on August 3, 1981. The Protocol calls for the Multinational Force and Observers, numbering about 2,500 persons, to undertake the functions and responsibilities stipulated in the Treaty, including verification of Egyptian and Israeli adherence to force and armament limitations in controlled areas and ensuring freedom of navigation through the Strait of Tiran. The U.S. contribution to the MFO will be over 1,200 persons, including 808 in an infantry battalion, a logistics and support unit of 356 personnel, and approximately 50 civilian observers. These observers will perform a mission similar to that of the Sinai Field Mission. In fact, some of the same personnel will probably be used by the MFO. In addition, two 500-man infantry battalions, along with units for communications and for boat and air operations, will be provided by other countries from outside the region. The United States is still finalizing arrangements with these countries, and so far only Fiji, Colombia, and Uruguay have formally offered to participate.

The forces will be deployed at two major camps and 20 to 30 observation posts and check points along the Egypt-Israel border. MFO headquarters—including the military commander, two light infantry battalions, support units, and the civilian observers—will be stationed at the Israeli-built Eitam airbase (known to the Egyptians as al Gorah) in the north. The U.S. battalion will be in the south, near Sharm el Sheikh.

Under the negotiated agreement, the costs of the MFO will be shared by the United States, Egypt, and Israel. As shown in the following table, total start-up and operating costs through 1983 are estimated at $324 million.

Country	1981	1982	1983	Total
United States	$10	$125	$35	$170
Egypt	20	[1] 25	35	77
Israel	20	[1] 25	35	77
Total	50	175	105	324

[1] Egypt and Israel are actually required to contribute $45,000,000 in 1982, but they will receive credit for the $20,000,000 payments advanced in 1981. The table reflects only the additional $25,000,000 which will be paid out in 1982.

Under the agreement, the United States pays 60 percent of the start-up and construction costs during 1981 and 1982. Starting in 1983, the estimated annual operating cost is to be divided equally among the three countries. In addition, the United States has agreed to continue surveillance flights over the entire Sinai, absorbing the full cost estimated at $8 million annually.

In addition, the agreement provides that the Director General of the MFO will be an American and will be headquartered somewhere other than Israel or Egypt; military ground commander will be appointed by the Director General and will not be an American; United States agrees to use its best efforts, in conjunction with Egypt and Israel, to find acceptable replacements for contingents that withdraw from the MFO and ensure the maintenance of an acceptable MFO; and MFO will be an international organization whose annual operating budget will be submitted to and approved by the contributing countries—that is, the United States, Egypt, and Israel.

According to State Department officials, start-up costs include about $105 million for construction of housing and operational facilities in the Sinai, $10 million for communications equipment, and $10 million for vehicles. The construction costs are still very preliminary, with major concerns such as water supply and electric power distribution still unsettled.

Withdrawing Israeli forces will leave behind some facilities that will be of use to the MFO. Barracks and office buildings at Eitam air base will be left for MFO use, and other facilities in the areas to be used by the MFO are being studied and discussed. Any such arrangements would have to involve Egypt, which assumes control of the areas after Israeli withdrawal. The Sinai Field Mission also has equipment such as vehicles, generators, and electronic instruments which may be useful to the MFO. U.S. officials told us they have been surveying these sources of possible support as they decide on new construction and equipment needs.

The battalions will be equipped with jeeps and trucks with no tracked or armored vehicles such as tanks or armored personnel carriers included. They will be armed with machine guns and light mortars, with no anti-tank or heavy artillery capability.

The personnel costs of developing countries providing troops will be paid by MFO using the U.N. reimbursement formula, which provides approximately $900 to $1,000 a month per soldier. Developed countries, including the United States, will be expected to pay the basic personnel costs for the troops they provide. For the United States, these personnel costs are estimated at $26 million annually, and are paid through Department of Defense appropriations. In addition, the United States is providing the equipment and vehicles to be used for its troops; the money MFO is spending on vehicles and communications equipment will supply the other MFO contingents. We were unable to estimate the cost of U.S. equipment involved.

MATTERS FOR CONSIDERATION BY THE CONGRESS

The United States is committed, as a part of the peace agreement between Egypt and Israel, to arrange a multinational peacekeeping force in the Sinai, and the basic outline of such a force has now been negotiated. However, many details of the U.S. involvement in the Sinai still must be worked out and the Congress will want to carefully consider, during its review of the authorization and appropriation request for U.S. participation in the MFO, the implications of the U.S. involvement and the controls and limits that would be desirable. Some of these key concerns follow.

The agreement calls for a U.N. peacekeeping force, if possible. Although it has been impossible to obtain U.N. approval, this should still be the ultimate objective for a peacekeeping force. The Congress may want to emphasize to executive branch decision-makers that efforts to involve the U.N. should continue, aimed at eventually replacing the MFO with a U.N. peacekeeping force.

Current plans envision a U.S. military contingent of about 800 soldiers and 350 support personnel. If other participants, now expected to contribute about 1,300 troops, should drop out of the MFO, the United States, along with Egypt and Israel, will make its best efforts to find replacements. If another contributor could not be found, then this obligation could require additional U.S. troops to maintain a credible force. The Congress should consider the maximum desirable number of U.S. troops in the Sinai and may want to impose limits on the total U.S. military contribution.

The agreement for an MFO is now open-ended with no time limit on the deployment. The Congress may want to consider the need for a periodic review of the authorization for the MFO to ensure that the need still exists and the deployment is still in U.S. interests. Because the agreement negotiated by Egypt and Israel does not establish a time limit, imposition of such a limit on U.S. participation, according to some State Department officials, could cause uncertainty about U.S. intentions. Some congressional control is available through the annual appropriations process for the U.S. share of the MFO's operating costs. A periodic report on MFO activities, such as the semi-annual report required for the Sinai Support Mission, could also be useful.

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The specific role of the combat troops assigned to the MFO and their operating instructions and procedures in various contingencies have not yet been determined. The Congress will want to review these procedures to ensure that the (1) American forces are adequately protected and able to defend themselves and (2) Congress' rights under the War Powers Resolution are upheld.

The State Department estimates start-up costs of over $200 million for the MFO in 1981 and 1982, with about 60 percent coming from the United States. The Congress may want to require the executive agencies to make possible use of existing Egyptian and Israeli facilities in the region, including available electric and water utilities, before constructing new facilities. In this regard, it may also be possible to transfer equipment or facilities from the Sinai Field Mission when it terminates.

Because U.S. participation in the MFO will involve policy decisions and actions by many agencies, the Congress may want to require the executive branch to establish a focal point within the U.S. Government to manage U.S. participation. This focal point could be structured along the lines of the present Sinai Support Mission which has experience in the Sinai peacekeeping process since 1976. An interagency mechanism, similar to the Sinai Interagency Board advising the Support Mission in its current efforts, could also be useful in coordinating the various agencies involved.

OBJECTIVES, SCOPE, AND METHODOLOGY

Our review of the U.S. peacekeeping role in the Sinai was conducted as part of an overall look at the developing U.S.-Egyptian defense relationship. Our objectives were to examine the operation of the Sinai Field Mission since its establishment in 1976 and to identify some of the major issues the Congress will want to consider in authorizing U.S. participation in the new multinational peacekeeping force which is replacing the Field Mission.

Our work was performed during January to July 1981. We interviewed officials of the Sinai Support Mission in Washington, reviewed semi-annual reports on the Mission's activities, and discussed the new multinational peacekeeping force. We also reviewed the Protocol signed by the United States, Egypt, and Israel for the new force. In addition, we discussed the operation of the Field Mission and the prospects for the multinational force with officials at the U.S. Embassy in Cairo, Egypt. During our work in Egypt, we also visited the Sinai Field Mission, discussed plans for the phase-out of the Mission with officials there, and viewed the facilities and equipment of the Field Mission.

As requested by your office, we did not obtain agency comments on this report. As arranged with your office, we are sending copies of this report to the Secretaries of State and Defense and to other interested congressional committees.

If we can be of further assistance in this matter, please let us know. We expect to provide you with our full report on U.S.-Egyptian defense relationships within a few months.

Sincerely yours,

MILTON J. SOCOLAR,
Acting Comptroller General of the United States.

Enclosure

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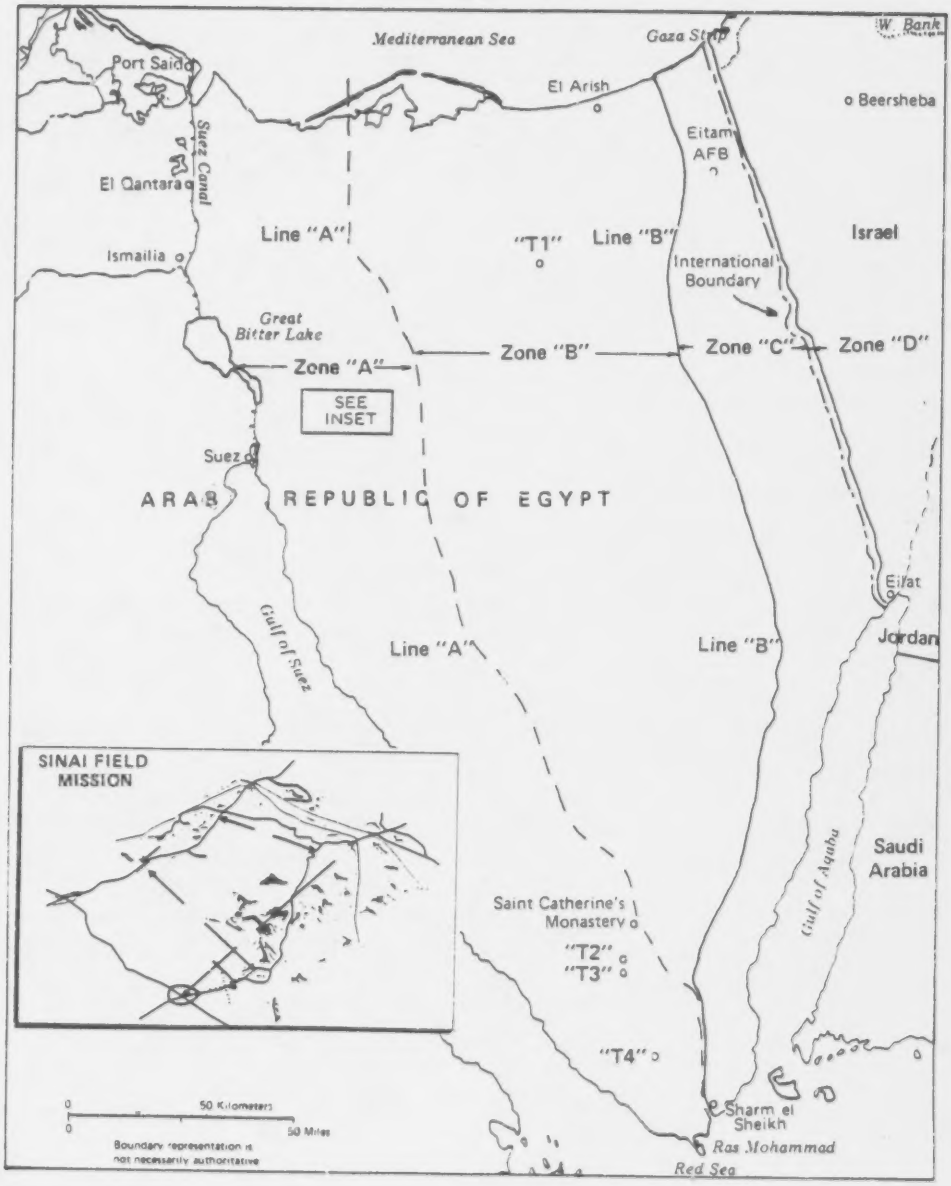
ENCLOSURE I

ENCLOSURE I

SINAI PENINSULA SHOWING LOCATION OF ORIGINAL U.S. EARLY WARNING STATION



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Department of State Comments on the Report of the General Accounting Office Concerning United States Participation in the Multinational Force and Observers

The report prepared by the General Accounting Office provides an excellent summary of the history of United States participation in prior peacekeeping activities in the Sinai, and of the circumstances which led to the negotiation of the Egyptian-Israeli Protocol signed August 3, 1981, establishing the Multinational Force and Observers to carry out the peacekeeping functions provided for in the Treaty of Peace between the two countries. The following comments of the Department of State are focused on the issues identified by the GAO in the section of its report entitled "Matters for Consideration by the Congress."

1. The report notes that the Treaty of Peace calls for a United Nations peacekeeping force if possible, and suggests that "the Congress may want to emphasize to Executive Branch decision-makers that efforts to involve the UN should continue, aimed at eventually replacing the MFO with a UN peacekeeping force."

The possibility of replacing the MFO with alternative peacekeeping arrangements is explicitly envisioned in paragraph 1 of the Protocol. This provision would clearly permit the replacement of the MFO with a U.N. force, and the Executive Branch shares the GAO's general view that it would be desirable to do so should it become possible for the U.N. to assume and effectively carry out this function. In our view, however, efforts to involve the U.N. must be considered in the context of our overall objectives in the region. For example, we expect that as peaceful relations between Egypt and Israel are deepened and strengthened, it ultimately will be possible to dispense with a peacekeeping force altogether. It is also possible that several years hence the Parties might agree to move directly from the present arrangements to alternative, simpler arrangements that do not require a U.N. force. Moreover, we continue to work closely with both Parties to further the overall peace process in the region. We will need to take into account how possible efforts to involve the U.N. in the peacekeeping function (should that become feasible) would affect these other important U.S. objectives. We therefore do not believe it appropriate for U.S. legislation to attempt to prejudge what the Parties themselves may agree to do at a future stage.

2. The report notes that the exchange of letters among Israel, Egypt and the United States, commits the United States, subject to Congressional authorization and appropriations, to use its best efforts to find acceptable replacements for contingents that might be withdrawn from the MFO and to take those steps necessary to ensure the maintenance of an acceptable MFO. The report concludes that if another contributor could not be found to replace a contingent withdrawn from the MFO, these obligations could require additional U.S. troops to maintain a credible force. The report suggests that the Congress should therefore consider imposing limits on the total U.S. military contribution.

In our view, the agreement of the United States to find acceptable replacements and to ensure the maintenance of an acceptable MFO does not require the United States to take any specific measures. In particular, it should not be interpreted as an obligation to provide additional U.S. troops in a particular contingency. Rather, we would retain discretion to determine measures to be taken to maintain what we would judge to be an acceptable MFO in the circumstances.

As the report notes, the Executive Branch has planned a total United States military presence of approximately 1164 personnel (808 members of the United States battalion, and 356 support personnel). We have no plans to increase those numbers, and, as noted above, no obligation to do so. At the same time we do not believe that it would be conducive to the peacekeeping mission of the MFO if limits were to be established on the size of the United States military contribution. It would be unfortunate if third parties with an interest in reducing the effectiveness of the MFO as a peacekeeping organization were to misinterpret such a limitation as an incentive to seek to discourage the participation of other nations.

3. The report states that "the agreement for an MFO is now open-ended with no time limit on the deployment," and suggests that the Congress may want to consider the need for a periodic review of the authorization for the MFO. The report recognizes that Congressional control is available through the annual appropriations process, and suggests that a periodic report might be useful.

Although it is correct that the agreement among the United States, Israel and Egypt does not establish any fixed period for United States participation, the

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proposed Joint Resolution, as submitted by the Administration, provides for annual authorization of United States funding for the MFO as well as annual appropriations. In our view, this procedure should provide ample opportunity for Congressional oversight of United States participation in that organization. As the GAO report indicates, the imposition of a specific time limit on United States participation could cause uncertainty internationally concerning United States intentions. We believe that this would be of serious concern to both Egypt and Israel. Moreover, it could jeopardize our current joint efforts to obtain the broadest possible international participation in the MFO.

We recognize the need to keep the Congress fully and currently informed concerning MFO activities. We believe that this can best be accomplished through ongoing consultations and the normal authorization and appropriations process. The Department would also be prepared to provide an appropriate annual written report to the Congress, but would hope to avoid reporting requirements which would substantially increase costs or which would complicate relations with the MFO or with other participating countries.

5. The report also raises certain questions concerning the specific role of combat troops assigned to the MFO.

The Administration has sought to assure the Congress that it does not consider that anything in the proposed Joint Resolution would affect the application of the War Powers Resolution to situations involving forces assigned to the MFO. The Administration intends to submit a report in accordance with the War Powers Resolution upon deployment of United States forces to the Sinai to serve with the MFO. In the event that the American contingent was introduced into hostilities or into a situation where imminent involvement in hostilities was clearly indicated by the circumstances, the President would consult with Congress and would report to Congress in accordance with the War Powers Resolution.

MFO operating instructions and procedures to deal with various contingencies are to be drawn up by the Force Commander, and approved by the Director General of the MFO. The Director General has advised us of his intention to consult with troop contributing nations in preparing such standard operating procedures and rules of engagement. The Department believes that consultations with the Congress would be useful during our review of MFO proposals. We believe that procedures can be developed which would comport with the view of the Director General of the MFO that for operational reasons any proposed operating instructions should be kept confidential. It is our view that through this consultative process the United States can ensure that procedures will be adopted which would ensure that American forces are adequately protected and able to defend themselves.

6. The report recommends that the MFO should make the maximum possible use of Egyptian and Israeli facilities in the region before constructing new facilities.

The Executive Branch fully shares this view. The sites to be utilized are essentially those recommended by Department of Defense experts in April of this year. Since that time, MFO teams have held discussions with Israeli and Egyptian officials in this regard, and agreement has been reached on the transfer to the MFO of extensive facilities now existing in the area. These discussions are continuing to determine what additional facilities might be utilized. The standards adopted by the MFO in this respect are to seek to obtain existing facilities when such facilities would (a) meet the needs of the MFO, and (b) result in cost savings to that organization.

Similarly, the Department fully shares the GAO view that, whenever feasible, equipment and facilities of the Sinai Field Mission should be transferred to the MFO. We are now in the process of identifying equipment and facilities of the SFM which would be useful to the MFO, and intend to transfer such facilities and equipment to that organization in accordance with the Foreign Excess Property Act. Such transfers would result in substantial benefits to the United States in the form of reductions in the MFO budget and hence in the United States contribution thereto.

7. The report suggests that the Congress might require the Executive Branch to establish a "focal point" within the United States Government to manage United States participation in the MFO.

The Executive Branch recognizes fully the need to establish such a focal point within the United States Government. We are currently considering various alternatives to determine the structure best suited to ensuring the maintenance of effective and coordinated policies on the part of all United States agencies with respect to United States participation in the MFO. We therefore do not believe that legislative action in this respect is necessary.

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PREPARED STATEMENT OF DON PERETZ, ON BEHALF OF THE FRIENDS COMMITTEE ON NATIONAL LEGISLATION

I am Don Peretz, a Professor of Political Science at the State University of New York. I have been asked by the Friends Committee on National Legislation to testify on the Administration's proposal to assign U.S. troops to a permanent U.S.-sponsored peacekeeping force on the Egyptian-Israeli border area. As you know from past appearances before these Subcommittees, the Friends Committee does not purport to speak for all Friends, although Friends have been active in the Middle East since the 1870's.

The Friends Committee is concerned about U.S. participation in the Force for several reasons. A major concern is establishment and operation of the Force outside the United Nations framework. This could delay a comprehensive settlement of the Arab-Israeli conflict for reasons which I will enumerate. There is also concern about the failure to secure cooperation of the Soviet Union and of other Arab states whose involvement in an overall Middle East peace settlement is vital. Participation of American troops, although few in number, sets a dangerous precedent.

U.N. PRESENCE REQUIRED

The primary responsibility of the U.N. is to keep the peace. The U.N. has been involved in observation and peacekeeping in the Middle East since the armistice agreements of 1949. To exclude the U.N. from oversight responsibility on the Egyptian-Israeli border and in surrounding zones is to deny the area an opportunity to build on past experiences, relationships and networks of operation which have been created through the U.N. Truce Supervision Organization and its Observer Groups, the U.N. Interim Force in Lebanon (UNIFIL), and the U.N. Disengagement Observer Force (UNDOF) in Golan (see Supplement I).

In fact, the Egyptian-Israeli Peace Treaty of 1979 calls for positioning U.N. "forces and observers" in certain border areas (Article IV, 1 and 2). Article VI of Annex I specifies that the U.N. force will have responsibility in Zones A, B, and C while U.N. observers will be placed in Zone D. Article VI also gives the U.N. responsibility for making the "command arrangements that will best assure the effective implementation of its responsibilities."

Authentic third party conciliation can best be provided by U.N. oversight of all Middle East peacekeeping and peacemaking efforts, including the Egyptian-Israeli Treaty. U.S.-sponsored activities will continue to be discredited, as they have been to date, by surrounding Arab countries, including the so-called "moderates" that are supposedly friendly to the United States, such as Jordan and Saudi Arabia. So what, it might be asked, if other countries discredit the Egyptian-Israeli peace process? The Treaty has been signed, sealed and is on the way to implementation. There is nothing that other countries can do about it.

EGYPTIAN/ISRAELI/UNITED STATES ISOLATION MUST BE AVOIDED

We question proposals to disregard the views and perceptions of other countries, especially those that are neighbors of Egypt and Israel. As much as we appreciate the Egyptian-Israeli relationships, so carefully and so painstakenly erected by the Nixon and Carter administrations, we recognize that the Camp David settlement, the peace treaty and its ancillary agreement, like Annex I, are erected on shaky ground. Until there is a comprehensive peace settlement between Israel, the other Arab confrontation states and the Palestinians, the structure that now exists is imperiled. The Camp David process, of which a Sinai peacekeeping force is a part, has accomplished much. It is a giant step forward in Arab-Israeli relations, but it is incomplete. It can be easily reversed.

In both Egypt and Israel there are zealots at the ends of the political spectrum who continue to oppose the peace treaty, not so much because they oppose peace, but because they feel that "their side" made too many concessions, or because the treaty does not go far enough. Communist parties in both countries reject the treaty, as do religious and/or nationalist zealots. In Egypt, the Muslim Brotherhood, in Israel, Gush Emunim and the Tehyia party, oppose the treaty. The point is that until a comprehensive settlement is reached, accomplishments to date remain in jeopardy.

Unfortunately, there is serious danger that the Reagan administration will surpass the Carter administration in perceiving the Egyptian-Israeli peace settlement as the framework for American policy on the Arab-Israeli conflict.

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Present talk of establishing a new version of the Baghdad pact, or of its moribund successor, CENTO, with Egypt and Israel as Middle East cornerstones, is linked to a large extent with the Israeli-Egyptian Peace Treaty. Some officials have even deluded themselves into believing that Saudi Arabia can be brought into this new-old Middle East defense structure. It is quite clear that Saudi Arabia will have none of this structure, except for the arms package part of the deal. Because of frequent allusions to this rehash of John Foster Dulles' Middle East defense concoction, many of the surrounding countries have become suspicious of the whole Camp David process. Many perceive it as part of the plan to erect an American dominated military alliance in the region with Egypt and Israel as cornerstones of that alliance.

Failure to proceed further in the peace process, to involve the U.N. in the Sinai Force, to strive for a comprehensive settlement through the U.N. involving all concerned parties, the Arab confrontation states, the PLO, the Soviet Union, and the EEC, will strengthen the suspicions of those who have raised questions about American intentions. Such a course will further isolate Egypt and Israel in the region. Proposals to involve Israel and Egypt in an American military alliance, to invest ever larger sums in their military, are of little benefit to Egypt and Israel in the long run, given their momentous internal economic and social problems.

SOVIET INVOLVEMENT ESSENTIAL

You have been told that the United States is not responsible for excluding the U.N. from monitoring responsibility on the Egyptian-Israeli border, that the possibility of a Soviet veto has excluded the U.N. from the area. That potential veto must be faced, and the issue taken back to the U.N. for full debate. Cooperation of the Soviet Union and the other Arab states is vital to a comprehensive settlement of the Arab-Israeli conflict. Canadian General E.L.M. Burns, a veteran of many years in U.N. Middle East peacekeeping operations, makes this point in his introduction to "The Sinai Blunder," which deals with the departure of the U.N. Emergency Force before the Six-Day war in June 1967. (The book was written by General Rikhye, a former commander of UNEP.) According to General Burns, there were two lessons to be learned from the 1967 experience:

One . . . was that it had to be the Security Council which should control such forces. This is more in accordance with the constitution of the United Nations, and with the realities of world power. Another lesson which should have been learned is that the Soviet Union cannot be shut out of the settlement of the conflict in the Middle East.

Henry Kissinger recognized this fact in 1973 when he flew to Moscow to obtain Soviet support for a cease fire. At that time the Soviet Union joined with the United States in co-sponsoring Security Council Res. 338 which called for a cease fire, an immediate effort to implement Security Council Res. 242 and to begin negotiations on a "just and durable peace in the Middle East." Resolution 338 became the legitimizing step toward launching the Geneva Peace Conference in December 1973. The Israeli-Egyptian disengagement of 1974 was negotiated and signed under the auspices of that Conference. So Soviet involvement in the peace process was helpful in 1973–74. It is needed now.

The Soviet Union is an active participant in the area, providing arms and political support to its clients. It has its own vital security interests in the region, and is in a position to disrupt any political settlement from which it is excluded. True, Soviet participation may make the negotiating process much longer, more arduous, and extremely aggravating. But without Soviet participation, it is inevitable that the Middle East arms race will continue, that policies of rejectionist states will be reinforced, and the overall difficulties between the United States and the Soviet Union will be intensified.

The Sinai peacekeeping force is an integral part of a long term settlement. It is essential that the Soviet Union be involved in its planning. Neither the United States nor the Soviet Union need be involved in actual field operations, nor should they be, under terms of the treaty documents which specify that no permanent member of the Security Council contribute either forces or observers to the Sinai operation.

SIZE AND COMPOSITION OF FORCE QUESTIONABLE

We question the necessity of having a military force monitor a peace treaty. U.S. officials have indicated that the size of the proposed force was politically determined, i.e., sufficient to reassure Israel. It was not based on numbers needed to do the job. We understand that technical studies provided the three negotiating parties suggest that fewer than 200 observers could effectively oversee security

arrangements under the Treaty. This estimate seems to be borne out by the experience of the U.S. Sinai Field Mission which is successfully monitoring 15,000 square miles with only 137 staffers.

We are particularly wary of the open-ended nature of the U.S. commitment to co-sponsor and to assign to the force, an infantry battalion, equipped for combat. The presence of hundreds of American troops in Sinai could be seriously misinterpreted by other countries in the area. This could endanger the whole peace process. In this connection, it should be kept in mind that Annex I of the Egyptian-Israeli Peace Treaty says the U.N. Force and observers "will be drawn from nations other than those which are permanent members of the United Nations Security Council." This was a wise decision, implementation of which would strengthen the credibility of the Treaty itself.

We are alarmed by the Administration testimony that "the United States will use its best efforts to find acceptable replacements for contingents that withdraw from the MFO. The United States will take the steps necessary to ensure the maintenance of an acceptable MFO." What if no "acceptable" replacements are available? Is it possible that the MFO might eventually become a totally U.S. force?

The FCNL recommends that the proposed force be replaced by a small U.N. observer group, which might possibly include elements of a re-deployed UNTSO unit. These U.N. observers should be assisted by the many electronic surveillance devices which UNIFIL is beginning to install and the U.S. has used very successfully in the Sinai. The U.S. Field Mission has already shared its knowledge of surveillance techniques with U.N. personnel seeking to improve peacekeeping in the Golan. U.S. equipment used in the Sinai should be turned over to the U.N. as well (see Supplement II for Lessons of Sinai Field Mission).

The use of a small U.N. observer mission would not only be more appropriate to the needs of the Egyptian-Israeli Peace Treaty. It would reduce suspicions of U.S. motives and eliminate uncertainties surrounding the current agreement which lacks a termination date and has an imprecise decision-making structure. U.N. observers would be less costly. Substituting observers for the proposed force would release funds and personnel for U.N. use on more dangerous borders, such as between Israel and Lebanon.

PALESTINIAN PARTICIPATION CRUCIAL TO PEACE

A major shortcoming of the Camp David process has been the lack of Palestinian involvement. Although the Camp David agreement recognized the importance of the Palestinians and President Sadat has attempted to represent their interests in the autonomy negotiations, lack of direct Palestinian involvement and recognition has undermined credibility of the process in the eyes of most Palestinians. This is true of those in organizations affiliated with the PLO, of representatives of the population in the West Bank, and even of many Israeli Arabs according to polls by Israeli academicians. Despite Egypt's interpretation of autonomy in a way that favors Palestinian self-government, the Palestinians themselves perceive Camp David as excluding them from a settlement.

If Israel should successfully conclude peace settlements with all confrontation states, but fail to come to terms with the Palestinians, peace will be incomplete. Why are the Palestinians a vital, if not the most important party in attaining a comprehensive settlement? Not only have the U.N., all the Arab states, most of the third world, and many of our Western European allies recognized their legitimate national rights and the PLO as their representative, but many issues in the conflict cannot be resolved without direct Palestinian participation. After all, the conflict between Jewish and Arab nationalisms did not begin as a struggle between Israel and Egypt, Israel and Syria, or Israel and Jordan. It began as a conflict between Jews and Arabs within Palestine more than half a century ago, a generation or two before Israel was created. It raged as a civil war in Palestine under the British mandate for over twenty years before Egypt, Jordan, Iraq, Syria or other states became militarily involved.

If we examine specific issues in the conflict it seems impossible to resolve them without the aid of Palestinians. Take the question of Jerusalem. Jerusalem is not an Egyptian city, not a Syrian city, not even a Jordanian city. Jerusalem is the capital of Israel—a Jewish city, and a Palestinian Arab city with nearly 100,000 indigenous Palestinian Arab Muslims and Christians in its population. Or look at the refugee question discussed each year since 1948 in the General Assembly. The refugees discussed are not Egyptian refugees, Syrian refugees, or Jordanian refugees; they are Palestinian Arab refugees whose future cannot be determined without their direct involvement.

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Even the most difficult question of borders is an Israeli-Palestinian issue. The borders in dispute are not those between Israel and Egypt, or Israel and Lebanon, or Israel and Jordan, or even Israel and Syria, for the Golan question could probably be resolved in the context of a larger peace settlement. The really difficult border that must be established in the future is the one separating Israel from a million and a half Palestinians on the West Bank and in Gaza. It is hardly conceivable that an acceptable border can be negotiated without participation of the people who live on one side of it. We urge recognition by the United States of the organization that the Palestinians have designated to represent them, not because we agree with its use of violence, but because it is the only Palestinian organization recognized by the Palestinians themselves and by most members of the U.N. Inclusion of the PLO in the peace process might provide an incentive for them to diminish or cease their violence.

OTHER PROBLEMS WARRANTING CONGRESSIONAL ATTENTION

The Middle East arms race has escalated to a point where it is nearly out of control. Several nations in the region now have armed forces equipped with larger amounts of and more sophisticated weapons than Great Britain, France or West Germany. Yet they continue to receive even more weapons from the United States, and from the Soviet Union. Unless this arms race is brought under control soon, it will make little difference whether there is a Sinai peacekeeping force, or even an Egyptian-Israeli Peace Treaty.

Since Israel's destruction of Iraq's nuclear reactor, we have all become aware of the danger of nuclear confrontation in the area. This danger and what to do about it is certainly as important as the Sinai force; we call on the Congress to face it.

Economic and social problems also create serious dangers in the Middle East. They may be an even greater threat to peace and stability than any political or military actions of the PLO, the Soviet Union, Israel, Iraq, Syria, or any combination of these countries. For example, many nations in the region have become increasingly dependent on imports, not only of weapons, but of food. In Egypt, Turkey, Iran, and Iraq there have been sharp declines in per capita food production; and in some countries an absolute decline. As millions of farmers have abandoned the land for the cities, food production has often dropped. Increased poverty, the prolific spread of urban slums, the doubling, and even greater increase, of populations in a single generation without commensurate increases in economic productivity, threaten stability in the Middle East.

How are these issues related to the subject of our hearing today, the Sinai peace force? There is danger that Congress will be deflected from consideration of these larger issues; that the illusion will be created that by approving the peace force a large step has been taken toward bringing stability to the region and diminishing the prospects of violence. This perception is misinformed.

SUMMARY

In summary, what do we specifically recommend concerning the Sinai peacekeeping force?

1. The Soviet Union should be consulted on implementation of the security provisions of the Egyptian-Israeli Treaty, as part of broader consultations leading to a comprehensive end to the Arab-Israeli conflict.

2. U.N. observers, using electronic surveillance equipment, should be given responsibility for overseeing the security provisions of the Egyptian-Israeli Peace Treaty. The United States should donate Sinai Field Mission equipment to U.N. personnel.

3. Provisions in the Treaty Annex calling for U.N. personnel to be drawn from "nations other than those which are permanent members of the United Nations Security Council" should be implemented.

4. Discussions through the U.N. (including the Soviet Union) on the Sinai force should be extended to include consideration of a comprehensive settlement of the Arab-Israeli conflict.

5. The PLO, as internationally recognized representatives of the Palestinians, should be included in discussions of a comprehensive peace settlement.

6. Congress should not be deflected by discussion of the Sinai peacekeeping force from early and serious consideration of other urgent Middle East problems, neglect of which could easily undermine United States hopes for peace in the area. They include the Middle East arms race, the growing danger of nuclear confrontation in the region, and the serious decline in economic and social conditions which could bring revolutionary upheaval.

SUPPLEMENT I

United Nations Peace-Keeping Missions in the Middle East

UNITED NATIONS TRUCE SUPERVISION ORGANIZATION—UNTSO

Headquarters at Government House, Jerusalem

Set up in 1948 to supervise the truce called for by the Security Council in Palestine. Chief of Staff: Maj.-Gen. A. E. Erskine (Ghana).

COMPOSTION

As at July 1981 there were 298 Military Observers from the following countries: Argentina, Australia Austria, Belgium, Canada, Chile, Denmark, Finland, France, Ireland, Italy, Netherlands, New Zealand, Norway, Sweden, U.S.S.R. and, United States.

Functions

UNTSO was established initially to supervise the truce called by the Security Council in May 1948 and has assisted in the application of the 1949 Armistice Agreements. Its activities have changed over the years in response to the development of affairs in the Middle East and in accordance with the relevant resolutions of the Security Council.

UNTSO observers assist the U.N. peace-keeping forces in the Middle East (see below), UNIFIL as a separate group and UNDOF as an integral part of the force. After the expiry of the mandate of UNEF (United Nations Emergency Force) on July 24th, 1979, UNTSO established Observer Group Egypt which maintains a number of out-posts in the Sinai.

Finance

UNTSO expenditures are covered by the regular budget of the United Nations. For the biennial period 1980–81, a sum of U.S. $25,869,000 was appropriated by the General Assembly.

UNITED NATIONS DISENGAGEMENT OBSERVER FORCE—UNDOF

Headquarters at Damascus, Syria

Established for an initial period of six months by a Security Council resolution on May 31st, 1974, following the signature in Geneva of a disengagement agreement between Syrian and Israeli forces. The mandate has since been extended by successive Security Council resolutions until November 30th, 1981. Commander: Maj. Gen. Erkki R. Kaira (Finland).

Composition of Force (July 1981):

Austria	530
Canada	219
Finland	409
Poland	125
UNDOF military observers (detailed from UNTSO)	18
Total	1, 301

Functions

The initial task of the Force was to take over territory evacuated in stages by the Israeli troops, in accordance with the disengagement agreement, to hand over territory to Syrian troops, and to establish an area of separation.

UNDOF continues to man the area of separation, from which Syrian and Israeli forces are excluded; it carries out inspections of the areas of limited armaments and forces, and it uses its best efforts to maintain the ceasefire. The area of separation has been placed under Syrian civil administration.

Finance

The General Assembly appropriated $15.0 million for UNDOF for the period from December 1st, 1980, to May 31st, 1981. In addition to this appropriation, it authorized the Secretary-General to enter into commitments at a rate not to exceed $2.5 million per month for the period from June 1st to November 30th, 1981, should the Security Council decide to extend the mandate of UNDOF again.

UNITED NATIONS INTERIM FORCE IN LEBANON—UNIFIL

Headquarters at Naqoura, Lebanon

Set up in March 1978 by Security Council resolution, for a six-month period, subsequently extended to 19 December 1981 by successive resolutions. Commander: Lieut. Gen. W. Callaghan (Ireland).

Composition of Force (July 1981):

Fiji	628
France	738
Ghana	476
Ireland	652
Italy	34
Nepal	430
Netherlands	810
Nigeria	696
Norway	831
Senegal	561
Sweden	144
Total	6, 000

A group of 70 military observers of UNTSO assist UNIFIL in the performance of its tasks. They form the "Observer Group Lebanon".

Functions

The functions of the force are to confirm the withdrawal of Israeli forces, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in southern Lebanon.

Finance

The General Assembly authorized the Security-General to enter into commitments for UNIFIL at a rate not to exceed $12.2 million a month for the period from December 19th, 1980, to December 18th, 1981, should the Security Council extend the mandate of UNIFIL again.

UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS—UNFICYP

Headquarters at Nicosia, Cyprus

Set up in March 1964 by Security Council resolution, for a three-month period, subsequently extended to 15 December 1981, by successive resolutions.

Special Representative of the Secretary-General: Hugo Juan Gobbi (Argentina).

	Military	Police
Composition of Force (July 1981):		
Australia		20
Austria	300	
Canada	514	
Denmark	340	
Finland	11	
Ireland	6	
Sweden	381	14
United Kingdom	795	
Total	2, 347	34

Functions

The purpose of the Force has been to keep the peace between the Greek and Turkish Cypriot communities pending a resolution of outstanding issues between them, to help maintain law and order, and to promote a return to normal conditions. UNFICYP now also performs functions in relation to the supervision of the ceasefire between the armed forces of Turkey and Cyprus, and in providing humanitarian assistance to refugees and to villages isolated behind military lines. The United Nations High Commissioner for Refugees acts as Co-ordinator of U.N. humanitarian assistance for Cyprus.

Finance

The estimated cost to the United Nations for maintaining the Force during the period from December 16th, 1980, to June 15th, 1981, was $14.8 million. The total cost from the beginning of the operation in March 1964 to December 15th, 1980, were estimated at $354.4 million, a sum to be covered entirely by voluntary contributions.

UNITED NATIONS MILITARY OBSERVER GROUP IN INDIA AND PAKISTAN (UNMOGIP)

Headquarters at Srinagar (summer) and at Rawalpindi (winter)

Set up in 1949 to supervise the observance of the cease-fire and the line of control between the Indian and Pakistani armies in the State of Jammu and Kashmir. Chief Military Observer: Brig. Gen. Stig Waldenstorm (Sweden).

Composition:

Australia	7
Belgium	1
Chile	3
Denmark	6
Finland	4
Italy	4
Norway	4
Sweden	11
Uruguay	1
Total	[1] 41

[1] This strength is higher than usual and is due to overlap of observers on rotation.

Functions

UNMOGIP's function is that of observing and reporting, investigating complaints from either party of violations of the cease-fire, and submitting the resultant findings on those investigations to each party and to the U.N. Secretary-General, as well as keeping the Secretary-General informed in general on the way in which the cease-fire is being kept.

UNMOGIP's role is to supervise the observance of the cease-fire and the line control between the Indian and Pakistani armies in the State of Jammu and Kashmir.

Finance

UNMOGIP expenditures are covered by the regular budget of the United Nations. For the biennial period 1980–81, a sum of U.S. $5,388,900. was appropriated by the General Assembly.

SUPPLEMENT II

LESSONS OF SINAI FIELD MISSION

Recent innovations in electronics have made it possible to replace large units of peacekeeping field troops with machines. In a recent report of the International Peace Academy its President, General Indar Rikhye, a former UNEF Commander in Gaza, points out that the U.S. Sinai Field Mission, "equipped with modern surveillance and communications equipment, has provided strong evidence that improved technological capabilities offer opportunities for confidence building and enhanced peacekeeping that are well suited for the decade ahead."

In a report issued last year by the U.S. Department of State on the Sinai Mission there was also reference to such a mission becoming the "eyes and ears of peace." The Report: "The traditional approach to the problem of monitoring a border or a restricted area usually invoives a wide-scale use of a combination of fixed observation posts and roving patrols. To be effective, this approach needs a comparatively large number of people. Now, however, by using modern surveillance technology, one person located at a central monitoring facility can 'watch' a border or area that would normally require a substantial force to patrol. When an apparent intrusion is detected, a small reaction team can be dispatched to investigate the incident. Where large area or long borders are concerned, the surveillance and interdiction force of a peacekeeping operation using advanced surveillance technology may be reduced by 50 to 75 percent below that needed to accomplish the task by traditional means.

"It is not difficult to envisage how these general operational surveillance concepts could be applied to cease-fire and armistice lines in other regions, including other areas of the Arab-Israeli conflict. . . . The application of concepts now in use at the SFM could, under many circumstances, make a valuable and cost-effective contribution to easing tensions and improving the climate for political negotiations. The technology employed is not prohibitively expensive, and it can replace substantial numbers of international peacekeeping forces who are not similarly equipped." (pp. 34–35, Dept. State Publication Number 9131, June 1980.)